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# EVALUATION OF THE SCHEME OF REHABILITATION OF BONDED LABOURERS IN UTTAR PRADESH

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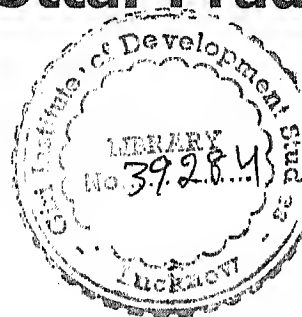
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**August 2006**

## PREFACE

Despite the fact that the Central Government promulgated the Bonded Labour System (Abolition) Act, as far early as 1976, the practice of keeping bonded labourers is yet to be eliminated even after 30 years and even today cases of bonded labourers being present in agriculture and some industries are still being reported. The Government not only sets the labourers free once they have been identified but also has introduced a scheme which aims at the rehabilitation of such released bonded labourers.

This study aims at evaluating the Central Governments scheme of rehabilitation of bonded labourers in three districts of U.P. viz. Badaun, Bulandshahar and Muzaffarnagar. These districts were identified for the evaluation of the scheme by the Labour Commissioner, Uttar Pradesh. The analysis highlights the fact that in all the three districts mentioned above the entire lot of bonded labourers was working in brick kilns. Moreover, while these labourers were from U.P. itself but belonged to districts other than those from where they were released and later rehabilitated. Another interesting fact which has emerged is that all the rehabilitated bonded labourers have not pursued the activity for which they had been provided the rehabilitation package. Another aspect which needs to be looked after is that in cases where a couple was made bonded labour their family also was with them and the entire family including infants have been treated as bonded labourers and have been covered under the rehabilitation scheme. This does not appear logical because a small child should not be treated as a bonded labourer.

We are extremely thankful to the Labour Commissioner, Uttar Pradesh for providing funds for getting the study conducted. We are thankful, in particular, to Shri U.P. Singh, Deputy Labour Commissioner for taking keen interest in getting the study conducted by the Giri Institute. We benefited through discussions with him. We also wish to express our gratitude to the Assistant Labour Commissioners of the three districts as well as the three enforcement officers for their kind cooperation during the course of the study.

The field work was handled by our dedicated survey team comprising of Shri S.K. Trivedi, Shri K.S. Deoli, Shri Mewa Lal, Shri Kailash Singh Gariya, Shri B.C. Tewari and Shri Dharendra Pratap. The coding and tabulation of the data was mainly handled by Miss Manju Joshi and Miss Parul Dikshit. Mr. Manoharan K. handled the word processing of the report very efficiently as usual.

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Lucknow

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## CHAPTER I

### BRIEF NOTE ABOUT THE PROBLEM, THE ACT, THE SCHEME OF REHABILITATION AND THE STUDY

#### The Problem

The problem of bonded labourers is a social phenomenon that has been a part of our society from early times. Even in the Vedic period there are evidences to indicate the presence of bonded labourers. Books such as Artha Shastra written by Kautilya, the Manu Smriti and Narada Smriti mention a wide spectrum of servitude under 'dasa' (slave). During different periods and different places slaves have been called by different names. In Uttar Pradesh for instance the popular name for bonded labourers is 'Bandhuwa Mazdoor' or 'Bandhak.'

While in the early period utter servitude was witnessed and labourers were made slaves and subjected to extremely harsh treatment. This was followed by the system of debt-bondage. As a result of poverty the under privileged were forced to borrow money from the landlords or money lenders and it was not possible for them to repay the loan. Consequently, the person in debt was forced to work under the person to whom he was indebted. The creditor could take work from him till such a time that he could repay the entire amount of loan including the interest. One therefore reads of instances where debt was transferred from the individual to his son and so the son also served as a bonded labourer. In the modern era the origin of bonded labour may be traced to the permanent settlement of land.

There may be a number of factors, which may force an individual to borrow money and become bonded such as:

- (a) Need for agricultural operations.
- (b) Unforeseen circumstances such as: (i) death of the bullocks; (ii) drought, floods or fire; (iii) death or sickness within the family; and (iv) social ceremonies such as marriage, etc.
- (c) Poverty.
- (d) Indebtedness.

Loans taken for any of the reasons cited above could force an individual to become bonded.

There are two types of loans, which bind a debtor to the creditor. The first is the initial loan which may be advanced say during the beginning of the agricultural year. This itself makes him bonded and the individual has to offer his services to his creditor during the entire agricultural year. Secondly, after becoming a bonded labour the same individual may take additional loans for any one

of the reasons cited above and that compounds his problem still further. Indebtedness once started generally takes unmanageable proportions because the individual is not even in a position to repay the interest on the initial loan leave alone the principal amount. Consequently generation after generation from the family continue to remain bonded.

Unfortunately, the problem of bonded labour did not remain confined to only the agricultural sector alone. Even in the industrial sector this malpractice was initiated and some of the industry groups where bonded labour may be present include industries like carpet manufacturing, saree weaving, brick kilns, stone crushing and stone cutting industries, etc.

After Independence a very serious thought was given to the problem of bonded labour and the issue was repeatedly discussed in Parliament. In 1973, the government ultimately took up the matter and decided to adopt measures to stop this malpractice. However, in many States there had been no surveys to identify the presence of bonded labour or locate areas where they existed. Thus, many social and other institutions began to work in this area and identified large number of cases related to the presence of bonded labour. Institutions such as Gandhi Peace Foundation, National Labour Institute and the National Sample Survey Organization were some of the prominent ones to work in this area. The findings of their research enabled the government to understand the magnitude of the problem and to take up appropriate steps in order to curb it immediately and ultimately put an end to it as soon as possible.

According to the National Commission on Labour, "Bonded labour can best be described in terms of debt bondage fixed for a time or a life time or hereditarily descending from father to son in some cases." The Indian School of Social Science has defined bonded labour as a social agreement between a debtor and creditor under which the debtor agrees to render labour or personal services to the creditor without remuneration in lieu of the satisfaction of the debt or part of the debt or interest on principal amount for a specific period or till the debt is satisfied or repaid. The Commissioner for Scheduled Castes and Scheduled Tribes in its twenty-fourth report has used the term 'bonded labour' to mean, "persons belonging to any particular caste or community forced or partly forced to work for a creditor under an agreement either without wage or for nominal wages which was less than the prescribed minimum wage."

### **Bonded Labour System (Abolition) Act**

In 1976 the Parliament promulgated the Bonded Labour System (Abolition) Act. This was aimed to provide for abolition of bonded labour system with a view to preventing economic and physical exploitation of the weaker sections of the people and for matters connected therewith or incidental thereto. The Act states that it shall be deemed to have come into force on the 25<sup>th</sup> day of October 1975. Chapter II of the Act states that:

- (i) On the commencement of this Act, the bonded labour system shall stand abolished and every bonded labour shall, on such commencement, stand freed and discharged from any obligation as bonded labour.
- (ii) After the commencement of this Act, no person shall:
  - (a) make any advance under, or in pursuance of, the bonded labour system, or,
  - (b) Compel any person to render any bonded labour or other form of forced labour.

The Act lays stress on the following aspects:

- (i) Liability to repay bonded debt to stand extinguished.
- (ii) Property of bonded labourers to be freed from mortgage, etc.
- (iii) Freed bonded labourer not to be evicted from homestead, etc.
- (iv) Creditor not to accept payment against extinguished debt.

In order to carry out the provisions the State Government is to confer requisite powers on a District Magistrate. Moreover, every State Government, according to the Act, shall by notification in the Official Gazette constitute a Vigilance Committee in each district and sub-division. The Constitution of the district level Vigilance Committee will be as follows:

- (a) The District Magistrate or a person nominated by him, as Chairman.
- (b) Three persons belonging to the SC/ST category and living in the district, to be nominated by the District Magistrate.
- (c) Two social workers, residents of the district, nominated by the District Magistrate.
- (d) Not more than three persons to represent the official or non-official agencies in the district connected with rural development, to be nominated by the State Government.
- (e) One person to represent the financial and credit institutions in the district, to be nominated by the State Government.

The Vigilance Committee at the Sub-Division level has a similar constitution except for the fact that its Chairman will be the SDM or someone nominated by him.

The functions of the Vigilance Committee are:

- (i) To ensure that the rules of the Act are properly implemented.
- (ii) To provide for economic and social rehabilitation of the freed bonded labour.
- (iii) To co-ordinate the functions of rural banks and co-operative societies with a view to canalizing adequate credit to the freed bonded labour.
- (iv) To keep an eye on the number of offences of which cognizance has been taken under this Act.
- (v) To make a survey as to whether there is any offence of which cognizance ought to be taken under this Act.

- (vi) To defend any suit instituted against a freed bonded labourer or member of his family or any other person dependent on him for the recovery of the whole or part of any bonded debt which is claimed by such person to be bonded debt.

After the commencement of this Act, if any one compels any person to render any bonded labour shall be punishable with imprisonment for a term which may extend to three years and also with fine which may extend to twenty thousand rupees.

### **Procedure for Release and Rehabilitation of Bonded Labour**

The Vigilance Committee either at the district or sub-divisional level receives information about the presence of bonded labour in their area. Information may be provided by an NGO active in the area or any other individual, from a bonded labour who might have made his escape, or through an anonymous phone call. On the basis of this information the DM or the SDM is contacted. A team is constituted comprising of the SDM, Tehsildar, Lekhpal, Labour Enforcement Officer and Official from the Police Department and they go to the cite where bonded labour are reported and make an inspection and enquire from the workers regarding their status in the unit. If during this enquiry it is revealed that people were being held bonded then a statement of those being held bonded is recorded. An FIR is lodged and a case is filed in the court of the Chief Judicial Magistrate against the offenders. The Chief Judicial Magistrate issues a Release Certificate by the virtue of which the individual who was being held bonded is set free. This individual is supposed to be paid Rs.1000 as a subsistence amount and he is sent to his native village after keeping record of his address to which he is returning. In case there is any fear that the individual may be harmed by those who had held him bonded then there is the provision of providing him police escort. The DM of the district to which the released bonded labour is returning is also sent information to this effect.

After the released bonded labour has gone back to his village then the enforcement officer from the labour department contacts him. He is asked to sign an affidavit giving details of his being held bonded. This affidavit is required to institute a case against the person who had held him bonded. Besides this the individual is also asked to indicate his preference regarding the work he would like to undertake in order to sustain himself and his family. The pattern of assistance under the scheme would be as under :

(a) **Land based :**

- (i) Identification of land – Government land/ceiling surplus land;
- (ii) Allotment preferably in the village where the bonded labour resides
- (iii) Identification of the delivery system of input-credit facilities
- (iv) Need, if any of reclamation and development of the assigned land



(b) Non-land

- (i) Milch cattle, cows, buffaloes - suitable for the areas
- (ii) Other animals like goats, sheep, pigs etc
- (iii) Minimum veterinary cover from existing extension of veterinary services
- (iv) Institutional linkage with marketing

(c) Skill/craft based occupation

- (i) Identification of skill/craft
- (ii) Supply of raw materials, implements, working capital, workshed
- (iii) Linkage with market through co-operatives etc. to eliminate exploitation by middlemen

Earlier each released bonded labour was entitled to a subsidy of Rs.10,000, which was shared on a 50 : 50 basis between the Central and respective State Governments. The amount has now been enhanced to Rs.20,000. The enforcement officer is expected to verify whether the vocation he has indicated has the potential to sustain him or not over a period of time. After the enforcement officer is satisfied with the activity indicated by an individual a report is made and sent to the Labour Commissioner. The papers are processed and sent to the Secretary, Labour Department of the State Government who then send it to the Labour Department of the Central Government for their clearance and their share of the subsidy amount. The papers from the Central Ministry are sent to the State Government, Labour Commissioner and the concerned DM along with the full subsidy amount. It is then handed over to the individual. Previously the subsidy was paid either fully or partly in kind. But there were some problems involved regarding purchase of items as per the preference of the individual who was to be rehabilitated and so the entire subsidy amount is now being paid in cash and the rehabilitated individual has to produce documentary evidence to prove that the subsidy amount was actually spent on the items for which it had been disbursed. Of late the thinking has once again been that it is much better to give the subsidy in kind rather than in cash. This will enable the individual to get good quality product and will also avoid any misuse of the subsidy amount.

There is generally no problem with the payment of subsidy amount except for the fact that the procedure is time consuming and so may take a considerable duration before the released bonded labourer receives the same. He has, therefore, to manage his household with his own efforts till the time he receives subsidy from the government. However, one area where the released bonded labourers face a genuine problem is the payment of Rs.1000 as a subsistence allowance. In quite a few cases this amount is not received by the released bonded labourers while they are being sent to their native place. The problem lies in the fact that the DM does not



have a specific fund earmarked for this purpose. However, there is provision under TR 27 through which the DM, if he feels fit, can release the amount. Thus, it is found that some DMs exercise this power while others do not. The released bonded labour is seriously in need of money when he has just been released so that he can make two ends meet before he can find any sort of employment within or around his native place. It is, therefore, essential that the DMs should have specific instructions for the release of the subsistence amount whether it be from a specifically designed fund or under the TR 27 provision. At no cost should the freed bonded labour be sent home without payment of the subsidy amount.

Yet another problem which is faced by the authorities in the process of rehabilitation is that when the bonded labour is released the team who identifies him merely takes a statement. He is asked to provide an affidavit later on when the enforcement officer goes to his village to find out the vocation he is interested in. At that point of time many bonded labourers refuse to accept the fact that they had been held bonded. Consequently, they refuse to accept any subsidy towards their rehabilitation and also that the offenders get away scott free since no legal action can be taken against them. It would, therefore, be a much better idea if the bonded labour is asked to give the affidavit at the time of his release itself.

### **The Situation of Bonded Labourers in Uttar Pradesh**

Soon after the promulgation of the Act to abolish the system of keeping bonded labourers, a survey was conducted in 10 states (1978) to assess the incidence of bonded labourers. U.P. was among the 10 selected states and the study estimated that the state had as many as 5.5 lakhs and that they were spread over as many as 37 out of the 52 districts of the state. With these facts in mind a centrally sponsored scheme for the rehabilitation of bonded labourers was formulated by the Ministry of Labour in 1978. Originally rehabilitation assistance of upto Rs.4000 was provided per bonded labourer and this was to be shared on a 50:50 basis by the central and concerned state governments. The amounts were then raised to Rs.6250 (01.02.1986) and to Rs.10,000 (01.04.1995). This amount has now been enhanced to Rs.20,000 per bonded labourer. According to the State Government, there was no backlog for rehabilitation of bonded labourers at the end of 1987-88. However, this did not mean the end to the problem of bonded labourers. This fact is clearly highlighted by Table 1.1, which provides district-wise details of identification and release of bonded labourers between 1996-97 and 2006-07. It is revealed that over the years mentioned above a fairly large number of bonded labourers have been identified and released from different districts. The districts change from a year to year basis but those where the incidence is relatively high are Mirzapur, Varanasi, Bhadohi and

Allahabad. Thus, between 1997-98 and 2006-07 as many as 3057 bonded labourers have been identified and released from 33 districts of Uttar Pradesh.

Table 1.1: District-wise Details of Identification and Release of Bonded Labourers in Uttar Pradesh Between 1996-97 and 2006-97

Sl. No.	Name of the district	Identified/Released										
		1996-97	1997-98	1998-99	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07
1	Sonebhadra	168	-	-	-	-	-	-	7	-	-	-
2	Mirzapur	100	22	17	-	-	35	27	7	4	-	-
3	Jaunpur	1	-	-	1	9	-	-	-	-	-	-
4	Varanasi	25	1	7	2	44	-	76	4	-	-	-
5	Chitrakoot (Banda)	61	1	-	-	-	-	-	-	-	1	19
6	Allahabad	-	16	90	38	1	47	31	13	15	33	-
7	Siddharthnagar	-	-	17	-	-	-	-	-	-	-	-
8	Kanpur City	-	-	100	-	-	-	-	-	-	-	-
9	Ferozabad	-	-	1	31	-	-	-	-	-	130	-
10	Pratapgarh	-	-	51	-	9	-	-	-	-	-	-
11	Faizabad	-	-	23	-	52	48	-	-	-	-	51
12	Rae Bareli	-	-	-	69	-	-	-	-	-	-	-
13	Sant Ravidas Nagar	52	134	21	43	16	25	-	18	-	70	-
14	Meerut	-	-	-	111	59	25	-	-	-	-	43
15	Gautam Budh Nagar	-	-	-	88	-	-	-	-	-	-	66
16	Ghaziabad	-	-	-	13	18	-	20	2	-	-	-
17	Kannauj	-	-	-	80	84	-	-	-	-	-	-
18	Unnao	-	-	-	57	-	-	-	-	-	-	-
19	Azamgarh	-	-	-	19	-	-	-	-	-	13	-
20	Muzaffarnagar	-	-	-	-	63	-	-	-	-	-	-
21	Ambedkar Nagar	-	-	-	-	40	-	-	-	-	-	-
22	Rampur	-	-	-	-	24	-	1	-	-	-	-
23	Kaushambi	-	-	-	-	-	-	45	-	-	-	-
24	Hardoi	-	-	-	-	-	-	7	1	-	-	-
25	Moradabad	-	-	-	-	-	-	46	-	-	-	-
26	Bareilly	-	-	-	-	-	-	-	16	-	-	-
27	Pilibhit	-	-	-	-	-	-	-	11	-	-	-
28	Aligarh	-	-	-	-	-	-	-	75	36	-	-
29	Sultanpur	-	-	-	-	-	-	-	32	-	-	-
30	Fatehpur	-	-	-	-	-	-	-	-	-	20	-
31	Bagpat	-	-	-	-	-	-	-	-	-	56	-
32	Lalitpur	-	-	-	-	-	-	-	-	-	-	1
Total		407	174	327	552	419	180	254	186	55	323	180

Source: Labour Commissioner's Office, Kanpur.

These bonded labourers were residents of not only Uttar Pradesh but various other states of India. As a result, they were sent to their respective States after their release. Once again the

highest concentration of bonded labourers belonging to other States was found in the districts of Mirzapur, Varanasi, Bhadohi and Allahabad (for details, please see Table 1.2).

Table 1.2: District-wise Details of Bonded Labourers who were Released but were Eligible for Rehabilitation in Different States Between 1996-97 and 2006-07

Sl. No.	Name of the district	Migrated (Others States)										
		1996-97	1997-98	1998-99	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07
1	Sonebhadra	34	-	-	-	-	-	-	-	-	-	-
2	Mirzapur	4	5	16	-	-	35	26	6	4	-	-
3	Jaunpur	-	-	-	1	9	-	-	-	-	-	-
4	Varanasi	4	1	7	2	31	-	75	4	-	-	-
5	Chitrakoot(Banda)	-	-	-	-	-	-	-	-	-	-	-
6	Allahabad	-	16	84	32	1	42	31	13	15	26	-
7	Siddharthnagar	-	-	17	-	-	-	-	-	-	-	-
8	Kanpur City	-	-	100	-	-	-	-	-	-	-	-
9	Ferozabad	-	-	-	-	-	-	-	-	-	-	-
10	Pratapgarh	-	-	46	-	9	-	-	-	-	-	-
11	Faizabad	-	-	23	-	52	48	-	-	-	-	51
12	Rae Bareli	-	-	-	69	-	-	-	-	-	-	-
13	Sant Ravidas Nagar	45	121	17	42	16	25	-	18	-	60	-
14	Meerut	-	-	-	4	-	-	-	-	-	-	-
15	Gautam Budh Nagar	-	-	-	-	-	-	-	-	-	-	-
16	Ghaziabad	-	-	-	-	1	-	-	1	-	-	-
17	Kannauj	-	-	-	80	84	-	-	-	-	-	-
18	Unnao	-	-	-	57	-	-	-	-	-	-	-
19	Azamgarh	-	-	-	19	-	-	-	-	-	13	-
20	Muzaffarnagar	-	-	-	-	-	-	-	-	-	-	-
21	Ambedkar Nagar	-	-	-	-	40	-	-	-	-	-	-
22	Rampur	-	-	-	-	24	-	-	-	-	-	-
23	Kaushambi	-	-	-	-	-	-	45	-	-	-	-
24	Hardoi	-	-	-	-	-	-	1	1	-	-	-
25	Moradabad	-	-	-	-	-	-	46	-	-	-	-
26	Bareli	-	-	-	-	-	-	-	16	-	-	-
27	Pilibhit	-	-	-	-	-	-	-	11	-	-	-
28	Aligarh	-	-	-	-	-	-	-	-	36	-	-
29	Sultanpur	-	-	-	-	-	-	-	32	-	-	-
30	Fatehpur	-	-	-	-	-	-	-	-	-	20	-
31	Bagpat	-	-	-	-	-	-	-	-	-	56	-
32	Lalitpur	-	-	-	-	-	-	-	-	-	-	-
Total		87	143	310	306	267	150	224	102	55	175	51

Source: Labour Commissioner's Office, Kanpur.

Between 1996-97 and 2006-07 as many as 1870 out of the total 3057 released bonded labourers were individuals belonging to other states. This is a rather high proportion, as it constitutes around 61 per cent of the total released bonded labourers. This, therefore, means that only around 39 per cent of the total released bonded labourers were natives of Uttar Pradesh. Their district-wise details for the years 1996-97 to 2006-07 are provided in Table 1.3.

Table 1.3: Bonded Labourers Released from These Districts/Other States Eligible for Rehabilitation in Uttar Pradesh

Sl. No.	Name of the district	Eligible for Rehabilitation in the State										
		1996-97	1997-98	1998-99	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07
1	Sonebhadra	134	-	-	-	-	-	-	-	-	-	-
2	Mirzapur	96	17	1	-	-	-	1	1	-	-	-
3	Jaunpur	1	-	-	-	-	-	-	-	-	-	-
4	Varanasi	21	-	-	-	13	-	1	-	-	-	-
5	Chitrakoot(Banda)	61	1	-	-	-	-	-	-	-	1	19
6	Allahabad	-	-	6	6	-	5	-	-	-	7	-
7	Siddharthnagar	-	-	-	-	-	-	-	-	-	-	-
8	Kanpur City	-	-	-	-	-	-	-	-	-	-	-
9	Ferozabad	-	-	1	31	-	-	-	-	-	130	-
10	Pratapgarh	-	-	5	-	-	-	-	-	-	-	-
11	Faizabad	-	-	-	-	-	-	-	-	-	-	-
12	Rae Bareli	-	-	-	-	-	-	-	-	-	-	-
13	Sant Ravidas Nagar	7	13	4	1	-	-	1	-	-	10	-
14	Meerut	-	-	-	107	59	25	-	-	-	-	43
15	Gautam Budh Nagar	-	-	-	88	-	-	-	-	-	-	66
16	Ghaziabad	-	-	-	13	17	-	20	1	-	-	-
17	Kannauj	-	-	-	-	-	-	-	-	-	-	-
18	Unnao	-	-	-	-	-	-	-	-	-	-	-
19	Azamgarh	-	-	-	-	-	-	-	-	-	-	-
20	Muzaffarnagar	-	-	-	-	63	-	-	-	-	-	-
21	Ambedkar Nagar	-	-	-	-	-	-	-	-	-	-	-
22	Rampur	-	-	-	-	-	-	1	-	-	-	-
23	Kaushambi	-	-	-	-	-	-	-	-	-	-	-
24	Hardoi	-	-	-	-	-	-	6	-	-	-	-
25	Moradabad	-	-	-	-	-	-	-	-	-	-	-
26	Bareilly	-	-	-	-	-	-	-	-	-	-	-
27	Pilibhit	-	-	-	-	-	-	-	7	-	-	-
28	Aligarh	-	-	-	-	-	-	-	75	-	-	-
29	Sultanpur	-	-	-	-	-	-	-	-	-	-	-
30	Fatehpur	-	-	-	-	-	-	-	-	-	-	-
31	Bagpat	-	-	-	-	-	-	-	-	-	-	-
32	Lalitpur	-	-	-	-	-	-	-	-	-	-	1
Total		315+5*	30+1*	17+10*	246	152+21*	30	30	84+1*	-	148+8*	129+14*

Note \* 10 bonded Labourers released from Rajasthan, 21 from Haryana, 1 from Gujarat, 1 from Delhi and 21 from Madhya Pradesh.

Source: Labour Commissioner's Office, Kanpur.

Table 1.4 brings out an interesting fact. The table reveals that while a specified number of released bonded labourers were eligible for rehabilitation within U.P., it is not necessary that they were rehabilitated in the same year. For example during 1996-97 the number of released bonded labourers was as high as 320, only 30 actually were covered under the rehabilitation scheme. Thus, a backlog was created for the subsequent years. However, there are also years where the total number of those getting assistance under the rehabilitation scheme far out-numbered the bonded labourers who were actually released in that particular year (example 2003-04 and 2004-05). On the whole, it is witnessed that if we take the cumulative figures from 1996-97 to 2006-07 the number of released

Table 1.4: District-wise Actual Number of Rehabilitated Bonded Labourers in U.P.

Sl. No.	Name of the district	Rehabilitated bonded labour in the state											
		1996-97	1997-98	1998-99	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	Total
1	Chitrakoot	30	31	-	-	-	2	2	-	-	-	-	65
2	Mirzapur	-	-	32	-	59	10	4	1	3	-	-	109
3	Sonebhadra	-	-	39	78	12	2	1	6	-	-	1	139
4	Varanasi	-	-	-	-	21	-	-	-	2	-	-	23
5	Mathura	-	-	-	-	10	-	-	-	-	-	-	10
6	Jaunpur	-	-	-	-	4	-	-	2	2	-	-	8
7	Aligarh	-	-	-	-	-	1	-	3	40	69	-	113
8	Mau	-	-	-	-	-	3	-	-	-	-	-	3
9	Maharaj Ganj	-	-	-	-	-	3	-	-	-	-	-	3
10	Allahabad	-	-	-	-	-	-	2	-	-	1	1	4
11	Santravidash Nagar (Bh)	-	-	-	-	-	-	1	-	-	10	-	11
12	Balrampur	-	-	-	-	-	-	1	-	-	-	-	1
13	Badaun	-	-	-	-	-	-	-	55	-	-	-	55
14	Jalaun (Urai)	-	-	-	-	-	-	-	21	3	15	-	39
15	Eta	-	-	-	-	-	-	-	14	-	-	-	14
16	Bagpat	-	-	-	-	-	-	-	16	-	5	-	21
17	Bulandshahar	-	-	-	-	-	-	-	39	18	-	-	57
18	Azamgarh	-	-	-	-	-	-	-	9	-	-	-	9
19	Kannauj	-	-	-	-	-	-	-	1	-	-	-	1
20	Lucknow	-	-	-	-	-	-	-	1	-	-	-	1
21	Muzaffarnagar	-	-	-	-	-	-	-	138	39	11	-	188
22	Saharanpur	-	-	-	-	-	-	-	6	3	-	-	9
23	Meerut	-	-	-	-	-	-	-	3	2	-	-	5
24	Ghaziabad	-	-	-	-	-	-	-	5	-	-	-	5
25	Bahraich	-	-	-	-	-	-	-	-	1	-	-	1
26	Hamirpur	-	-	-	-	-	-	-	-	-	37	4	41
27	Banda	-	-	-	-	-	-	-	-	-	1	-	1
Total		30	31	71	78	106	21	11	320	113	149	6	936

Source: Labour Commissioner's Office, Kanpur.

bonded labourers belonging to U.P. was 1241 while only 936 had received assistance under the rehabilitation scheme of the government. This constitutes roughly 75 per cent of the bonded

labourers who were actually released. This discrepancy has arisen because of the fact that some of the released labourers have expired, a few had refused the subsidy amount while as many as 54 of them were released from other States.

Table 1.5 provides a consolidated picture for the State as a whole regarding the total number of bonded labourers released and rehabilitated as well as why some could not be rehabilitated between 1996-97 and 2006-07.

Table 1.5: **Bonded Labourers Released/Rehabilitated in Uttar Pradesh Between 1996-97 and 2006-07**

Year	Total identified released	Migrated (Belonging to different state)	Eligible for rehabilitation within state	Those released from other state to be rehabilitated in U.P.	Total	Dead/missing/refused subsidy	Those still to be rehabilitated	Rehabilitated
1996-1997	407	87	320	-	320	1	319	30
1997-1998	174	143	31	-	31	2	29	31
1998-1999	327	310	17	10	27	-	27	71
1999-2000	552	306	246	-	246	28	218	78
2000-2001	419	267	152	21	173	80	93	106
2001-2002	180	150	30	-	30	-	30	21
2002-2003	254	224	30	-	30	3	27	11
2003-2004	186	102	84	1	85	2	83	321
2004-2005	55	55	-	-	-	-	-	112
2005-2006	323	175	148	8	156	1	155	149
2006-2007	180	51	129	14	143	-	143	6
<b>Total</b>	<b>3057</b>	<b>1870</b>	<b>1187</b>	<b>54</b>	<b>1241</b>	<b>117</b>	<b>1124</b>	<b>936</b>

Source: Labour Commissioner's Office, Kanpur.

## **The Significance and Objectives of the Present Study**

The Bonded Labour System (Abolition) Act was passed in 1976 and since 1978 the scheme of rehabilitation of the released bonded labourers has been in operation in Uttar Pradesh and the number of bonded labourers who have been released and rehabilitated between 1996-97 and 2006-07 are indicated in Table 1.5. It was, therefore, thought appropriate to try and evaluate the scheme in order to find out the extent to which it has been effective in releasing the bonded labourers and in rehabilitating them so that they are able to lead a respectable life and earn sufficiently to sustain themselves and their family.

The Labour Commissioner, Kanpur, therefore, entrusted us with the task of carrying out the evaluation study in the districts of Badaun, Bulandshahar and Muzaffarnagar with the following broad objectives in mind.

- (a) To find out the factors which forced the individuals into becoming bonded labourers and their socio-economic condition prior to being bonded;
- (b) To find out the duration for which they remained as bonded labourers;
- (c) To find out how they were identified and the time period which lapsed before they were set free;
- (d) To find out whether they are still under some sort of pressure from their creditors;
- (e) To analyze whether their socio-economic conditions have improved after rehabilitation; and,
- (f) To find out whether they faced any problem in the process of rehabilitation and offer suitable suggestions in the light of the feedback for streamlining the process starting from identification to rehabilitation.

### **Methodology and Sample Size**

The study was based on a field survey carried out in the three districts of Badaun, Bulandshahar and Muzaffarnagar, which were allotted to us by the Labour Commissioner, Kanpur. According to the list of rehabilitated bonded labourers provided to us there were 57 and 51 cases of rehabilitation in the districts of Badaun and Bulandshahar, respectively, while in Muzaffarnagar it was 272. We carried out a survey by covering the entire universe. In order to collect information for the study two sets of schedules were developed and then approved by the Labour Commissioner before the field survey was initiated.

The first schedule was framed to collect information from the rehabilitated bonded labourers to obtain information about their general characteristics, demographic structure of their households, details regarding the duration while they were held bonded, details about their release and rehabilitation and the improvement in their overall socio-economic conditions since rehabilitation.

The second schedule was framed in order to obtain the views of some influential persons from the area such as members of the Vigilance Committee, persons who are running the NGO, social workers or social activists, political figures, etc. in order to find out from them about the incidence of bonded labour in their area, the impact of the Act on offenders, their views regarding short-comings, if any, in the scheme of rehabilitation and suggestions for making the scheme more effective.

Besides the primary information the Office of the Labour Commissioner provided us secondary information about the efforts undertaken by the State Government in the identification and rehabilitation of bonded labourers in different districts between 1996-97 and 2006-07.



### Actual Position of the Selected Districts as Emerging after the Field Survey

As indicated earlier the number of rehabilitated bonded labourers was 57 and 48 in Badaun and Bulandshahar districts while it was 188 in the case of Muzaffarnagar. However, when we conducted the field survey we were provided with the actual list of rehabilitated persons in each district by the Office of Assistant Labour Commissioners of the selected districts. These details are being provided in Tables 1.6, 1.7 and 1.8. The exact number of these rehabilitated bonded labourers whom we could contact in each of the three districts is also indicated in these three tables. In all the three districts taken together we could cover 235 individuals out of the total of 284, which accounts for nearly 83 per cent of the total sample. These details are provided for each district separately in Tables 1.6, 1.7 and 1.8.

Table 1.6: Details of Rehabilitated Bonded Labourers in Badaun District of Uttar Pradesh

Sl. No.	Block/Village	Total Rehabilitated Bonded Labourers	Actual Sample Covered	Number of Rehabilitated Bonded Labourers Not Available During Survey	Reasons for Non-Availability				
					Migrated			Married	Total
					Shahjahanpur	Jullandhar	Bareilly		
A.	<u>Sahaswan</u>								
1.	Abbu Nagar	12	12	—	—	—	—	—	—
2.	Patar Choha	4	4	—	—	—	—	—	—
3.	Khitora Kundan	20	16	4	—	3	1	—	4
4.	Khitora Bhagwant	6	6	—	—	—	—	—	—
B.	<u>Dahgawan</u>								
1.	Sonbura	3	3	—	—	—	—	—	—
2.	Hasanpur Thappa Vaishya	5	4	1	—	—	—	1	1
C.	<u>Adiyapur</u>								
1.	Barhnome	5	5	—	—	—	—	—	—
D.	<u>Salarpur</u>								
1.	Yusup Nagar	2	—	2	2	—	—	—	2
Total (A+B+C+D)		57	50	7	2	3	1	1	7

**Table 1.7: Details of Rehabilitated Bonded Labourers in Bulandshahar District of Uttar Pradesh**

Sl. No.	Block/Village	Total Rehabilitated Bonded Labourers	Actual Sample Covered	Number of Rehabilitated Bonded Labourers Not Available During Survey	Reasons for Non-Availability			
					Migrated		Died	Total
					Delhi	Haryana		
<b>A.</b>	<b><u>Araniya Block</u></b>							
1.	Araniya	15	11	4	3	—	1	4
<b>B.</b>	<b><u>Anoop Sahar</u></b>							
1.	Rajour	13	12	1	—	1	—	1
2.	Mau	1	1	—	—	—	—	—
3.	Sunana	2	1	1	—	1	—	1
<b>C.</b>	<b><u>Dibai</u></b>							
1.	Vijidpur	4	4	—	—	—	—	—
<b>D.</b>	<b><u>Pahasu</u></b>							
1.	Chhatari	4	3	1	—	1	—	1
<b>Total (A+B+C+D)</b>		<b>39</b>	<b>32</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>7</b>

Table 1.7: Details of Rehabilitated Bonded Labourers in Muzaffarnagar District of Uttar Pradesh

Sl. No.	Block/Village	Total Rehabilitated Bonded Labourers	Actual Sample Covered	Number of Rehabilitated Bonded Labourers Not Available During Survey	Reasons for Non-Availability					Place of Migration
					In Jail	Died	Married	Not Traced	Migrated	
<b>A. Jansath</b>										
1.	Gujarhedi	23	19	4	1	1	--	1	1	Ghaziabad
2.	Kasampur Khola	16	11	5	--	1	1	2	1	Jullandhar
<b>B. Morana</b>										
1.	Bahupura	2	2	--	--	--	--	--	--	
<b>C. Kairana</b>										
1.	Ramada	50	42	8	--	--	3	5	--	
2.	Pavatee Kalan	2	2	--	--	--	--	--	--	
<b>D. Thana Bhawan</b>										
1.	Thana Bhawan	2	2	--	--	--	--	--	--	
<b>E. Shamali</b>										
1.	Silawar	3	3	--	--	--	--	--	--	
2.	Kheri Karmi	4	4	--	--	--	--	--	--	
<b>F. Charthawal</b>										
1.	Dadhedu Khurd	2	2	--	--	--	--	--	--	
2.	Kanha Heri	9	8	1	--	--	1	--	--	
<b>G. Purkaji</b>										
1.	Tugalpur Camera	10	9	1	--	--	1	--	--	
<b>H. Sadar</b>										
1.	Jath Mujhera	2	2	--	--	--	--	--	--	
<b>I. Burana</b>										
1.	Bitawada	2	2	--	--	--	--	--	--	
<b>J. Baghara</b>										
1.	Nirmanana	2	2	--	--	--	--	--	--	
<b>K. Uoon</b>										
1.	Tana	32	23	9	--	--	1	1	7	Panipat
2.	Kherki	25	20	5	--	1	1	--	3	1. Saharanpur 2. Meerut
<b>L. Kandhala</b>										
1.	Hurmajpur	2	--	2	--	--	--	--	2	Delhi
<b>Total (A to L)</b>		<b>188</b>	<b>153</b>	<b>35</b>	<b>1</b>	<b>3</b>	<b>8</b>	<b>9</b>	<b>14</b>	

## CHAPTER II

### CONDITION OF REHABILITATED BONDED LABOURERS IN DISTRICT BADAUN

In the earlier chapter we had briefly talked about the problem of bonded labourers, the situation in Uttar Pradesh, the scheme of rehabilitation of bonded labourers and about the study. We will now analyze the information collected by us from each of the three districts, which were covered for the study. Since the Labour Commissioner, Uttar Pradesh, had given specific instructions that a separate report is to be made for each of the three districts we shall first take up district Badaun for our analysis. It may be pointed out that we were able to cover 50 out of a total of 57 rehabilitated bonded labourers in the district during our field survey. The seven who could not be contacted are no longer in their village and have moved out either to other districts or even other States.

#### Characteristics and Demographic Structure of the Bonded Labourers

Table 2.1 deals with the general characteristics of our respondents. It was observed that a majority of the rehabilitated bonded labourers were concentrated in the age group of 26-45 years and the next important age group was that between 46-60 years. Their average age worked out to be approximately 41 years. These two age groups taken together accounted for over 85 per cent of our total respondents. Around two-thirds were male while females constituted one-third of the rehabilitated bonded labourers. They were all Hindus by religion and belonged to SC/ST category only. Unfortunately a very high percentage of them were found to be illiterate. As many as 35 (70 per cent) of the total respondents have reported that they work as non-agricultural labourers, which is their primary occupation. Not all of them have a secondary occupation and those who are engaged in secondary activity are mainly cultivators or agricultural labourers. Looking at their income from primary activity, it is found that our respondents are mainly concentrated in the income groups of Rs.501-Rs.800, Rs.801-Rs.1000 and above Rs.1000 per month. The incomes from secondary occupation are generally below Rs.500 per month. Thus, it is quite evident that the rehabilitated bonded labourers surveyed by us belonging to the poorer and deprived sections of society.

Table 2.1: General Characteristics of the Bonded Labourers of Badaun

Sl. No.	Characteristics	Total Number
1.	<b>Age Group (Years)</b>	
	20-25	4
	26-45	28
	46-60	15
	60 & above	3
	Average Age	41
	Total Sample Size	50
2.	<b>Sex</b>	
	Male	33
	Female	17
3.	<b>Religion</b>	
	Hindu	50
	Muslim	-
4.	<b>Caste</b>	
	SC/ST	50
5.	<b>Marital Status</b>	
	Married	44
	Unmarried	1
	Widow/Widower	5
6.	<b>Education Qualification</b>	
	Illiterate	48
	Literate	-
	Up to class Vth	2
7.	<b>Present Primary Occupation</b>	
	Agriculture & Animal Husbandry	3
	Agriculture Labour	8
	Non Agriculture Labour	35
	Retired/Unable to work	4
8.	<b>Income from Primary Occupation (Rs.p.m.)</b>	
	Up to 500	7
	501-800	13
	801-1000	12
	1000 & above	14
9.	<b>Present Secondary Occupation</b>	
	Agriculture & Animal Husbandry	20
	Agriculture Labour	10
	Non Agriculture Labour	5
10.	<b>Income from Secondary Occupation (Rs.p.m.)</b>	
	Up to 500	30
	Above 500	5

Table 2.2 provides information about the conditions in which they were living prior to being bonded and since rehabilitation. It is encouraging to observe that although the respondents are still in the low income group, there has been some improvement in their living conditions. Prior to rehabilitation all except one was living in a kutchha house. However, after rehabilitation

there are as many as 16 who are residing in a pucca accommodation. Another 16 have a house, which is partly pucca. Similarly, 37 are now enjoying the facility of drinking water while earlier this facility was available to only one individual. Even if we look at some of the relatively cheaper durable assets such as wristwatch, radio/transistor or cycle, it is observed that a relatively much larger number are in possession of these articles today as compared to before rehabilitation.

Table 2.2: Living Conditions and Assets of Households

Sl. No.	Living conditions and assets of Households	Before Rehabilitation	After Rehabilitation
1	<b>Type of House</b>		
	Kutcha	49	18
	Partly Pucca / Kutcha	1	16
	Pucca	-	16
2	<b>Electricity</b>		
	Yes	-	-
	No	50	50
3	<b>Drinking Water</b>		
	Yes	1	37
	No	49	13
4	<b>Toilet</b>		
	Yes	-	1
	No	50	49
5	<b>Wristwatch</b>		
	Yes	8	22
	No	42	28
6	<b>Radio/Transistor</b>		
	Yes	6	16
	No	44	34
7	<b>Cycle</b>		
	Yes	1	14
	No	49	36
8	<b>Sewing Machine</b>		
	Yes	-	1
	No	50	49

If we look at the structure of the households of the rehabilitated bonded labourers, it is observed that the average household size works out to around 5 members per household. Adult family members accounted for nearly 65 per cent of the total while the rest were children upto 17 years. Since a majority of our respondents themselves were illiterates, the same pattern was observed among the remaining adults as well. However, it was a positive sign that as many as 92.75 per cent of the children in the age group 6-17 years were either enrolled in school or had studied upto Class VIII. This indicates that while the parents themselves are illiterates they

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realize the significance of educating their children. As many as 139 (almost 55 per cent) of the total household members were working and these included children as well (for all these details please see Table 2.3).

Table 2.3: **Demographic Structure of the Households**

Family Members	Total family members	Education						Activity Status						
		Child below 5 years	Illiterate	Literate	Up to class- V	Junior Basic School	High school	Working	Student	Unemployed	Housewife	Old age/Retired	House hold Work	Child
Adult Male	95	-	86	3	1	3	2	78	2	10	-	5	-	-
Adult Female	69	-	69	-	-	-	-	45	-	2	19	3	-	-
Child Below 5 Yrs	20	20	-	-	-	-	-	-	-	-	-	-	-	20
6-11 Years	18	-	5	-	13	-	-	-	13	-	-	-	5	-
11-14 Years	21	-	6	1	11	3	-	7	14	-	-	-	-	-
14-17 Years	30	-	10	6	10	4	-	9	7	14	-	-	-	-
Total	253	20	176	10	35	10	2	139	36	26	19	8	5	20
Average Family Size											5.06			

Not only are the respondents mainly working as non-agricultural workers but even the other family members are engaged in similar work. This can be evidenced from the fact that out of a total of 139 workers as many as 75 (54 per cent) are non-agricultural labourers. Even some of the younger children in the age group 11-17 years are working. However, they are mainly working on their own fields as cultivators or in allied activities. These workers are mainly found in the monthly income group of Rs.500-Rs.1000 (61 per cent approximately) per month and another 35 per cent in the lowest income group of upto Rs.500 per month. Consequently the average household incomes are rather low at around Rs.1600 per month (all this information is being provided in detail in Table 2.4).

Table 2.4: **Occupational Distribution and Income Pattern of Household Members**

Family Members	Occupational Categories				Monthly income of the Workers (Rs.)			
	Ag. & Animal Husbandry	Ag. Labour	Non-Ag. Labour	Business	Up to 500	500-1000	1000-2000	Average Monthly H.H. Income (Rs.)
Adult Male	4	5	64	5	10	64	4	
Adult Female	7	28	10	-	23	21	1	
Child Below 5 Years	-	-	-	-	-	-	-	
6-11 Years	-	-	-	-	-	-	-	
11-14 Years	7	-	-	-	7	-	-	
14-17 Years	6	2	1	-	9	-	-	
Total	24	35	75	5	49	85	5	1599



## Factors Leading to Bondage and Rehabilitation

In the questionnaire care had been taken to obtain as much information about the rehabilitated bonded labourers even prior to their becoming bonded so that we could find out the various factors, which were instrumental in forcing them to bondage. Table 2.5 gives an idea of the past of the bonded labourers. The table reveals the fact that people covered in our sample became bonded between the age of 15 to above 40 years. Thereby implying that they were taken into bondage at an age when they were physically fit and capable of doing hard work. Only around one-

Table 2.5: Background of Bonded Labourers

	Total Samples	50
<b>1. Age at the time of becoming bonded (Years)</b>		
15-25		11
25-30		7
30-40		16
Above 40		16
<b>2. Activity before becoming bonded</b>		
Agriculture & allied activities		2
Agriculture Labour		10
Non-Agriculture Labour		38
<b>3. Monthly earning of the employed respondents</b>		
Upto 500		7
500 - 1000		26
Above 1000		17
Average monthly earnings (Rs)		937
<b>4. Place where you served as a bonded labour</b>		
Brick kilns		50
<b>5. Circumstances forcing you to become bonded</b>		
Debt		13
Less Wages		22
Non-payment of wages		3
Delay wages payment		7
Payment only paid for food		5
<b>6. Nature of work done as bonded labour</b>		
Prepare raw bricks		50
<b>7. Mode of payment</b>		
Monthly @Rs.128/=per 1000 bricks		50
<b>8. Amount of payment (Rs.p.m.)</b>		
Below 250		1
250-500		21
Above 500		28
Average monthly earnings (Rs)		477
<b>9. Was the payment of wages adjustment against the debt</b>		
Yes		4
No		9
Not taken loan		37
<b>10. Number of years you had to remain bonded</b>		
Up to 6 Months		4
7 Months to 1 Year		46

fourth of them were either directly or indirectly engaged in agriculture. The rest were all non-agricultural labourers almost all of them were working in brick kilns. It is interesting to note that all of them were doing some work. Their overall monthly earnings worked out to Rs.937.00.

Our entire sample comprises of individuals who became bonded in brick kilns. Around one-fourth of them were forced to become bonded because they were indebted and were unable to repay their debts. The rest were those who were either getting low wages or were suffering because of non-payment of wages or payment of wages after considerable delay. The brick kilns lured them by saying that not only will they be paid regularly but also higher than what they had been earning upto that point of time till they became bonded. The wage rates which they were indicated were Rs.128 per 1000 bricks. It is interesting to note that an individual on an average can make anything between 500-800 bricks per day. So even if we go by the lowest figure a labourer should have received Rs.60-65 per day as daily wages while the more efficient labourers should have had a daily earning of around Rs.100-125. Thus, the average monthly earnings of these labourers should have fluctuated between Rs.1800 – Rs.3000 per month. Unfortunately our analysis reveals that on an average these labourers were earning less than Rs.500 per month, which is almost half their average earnings prior to becoming bonded labour (please see table 2.5).

It is interesting to note that the duration for which these individuals remained as bonded was rather low. Almost our entire sample (46 out of total of 50) were released with a period of 6-12 months from their captors (for details see Table 2.5).

Table 2.6 provides various details related to agency, which identified them, time of release, time taken in rehabilitation and problems faced in receiving the rehabilitation subsidy. The entire lot of bonded labourers were identified and released by government officials and they were all released in March 2000. However, they were rehabilitated in March 2004 (48 persons). This goes to show that considerable time lapsed before the rehabilitation package was finally offered to them. All of them have been rehabilitated in villages according to the preference indicated by them. While all of them have received the subsistence amount they had to wait for such a long time because of various factors including completion of all formalities before preparing the rehabilitation package. Fortunately, once the formalities were over, all the individuals received the amount in one single installment. This goes to show that the paper work involved takes a considerable time and these individuals had to suffer various hardship till such a time they did not receive the money. Another lapse on the part of the officials is that none of these 50 released bonded labourers were paid the subsistence amount of Rs.1000, which the District Magistrate should have arranged when they were leaving for their native place. Although the respective DMs of the districts do not have any specific fund earmarked for this purpose, he

can exercise his power under the provision of TR 27 and release the subsistence allowance. In fact when releasing bonded labourers and immediate payment of subsistence allowance is part of the various responsibilities of the District Magistrate there should be a financial provision specifically to cater to this item of expenditure.

Table 2.6: Details Regarding Release of Bonded Labourers

	Total Sample	50
1. <b>Identifying Agency</b> Government Official		50
2. <b>Year of Identification</b> 2000		50
3. <b>Month and Year of Release</b> March 2000		50
4. <b>Month and Year of Rehabilitation</b> 2004 2005		48 2
5. <b>Place of Rehabilitation</b> Town Village		-- 50
6. <b>Was it the place of your choice</b> Yes No		50 --
7. <b>Are you facing any problem in the place of rehabilitation</b> Yes No		-- 50
8. <b>Did you received subsistence amount</b> Yes No		- 50
9. <b>Time taken between release and rehabilitation</b> 4 Years and above		50
10. <b>Was training received</b> Yes No		- 50
11. <b>Month of receiving subsidy</b> March May		48 2
12. <b>Year of receiving subsidy</b> 2004 2005		48 2
13. <b>How did you received the amount</b> Full Payment		50
14. <b>Did you face any problem in receiving subsidy</b> Yes No		40 10
15. <b>If yes, Nature of problem (Multiple response)</b> Too much time taken Excessive paper work		31 9

With the help of Table 2.7 we will try to analyze the extent to which the rehabilitated bonded labourers have utilized the subsidy, which was provided to them. It is very evident that all the 50 individuals were provided the subsidy amount for a specified economic activity in accordance to the preferences, which they must have given to the team from the Labour

Commissioner's Office before the rehabilitation package was handed to them. Moreover, the entire amount was made available to them in cash. However, when we look at the actual utilization of the subsidy, it hardly matches with the basic purpose for which it was demanded. For example, 30 individuals demanded money for purchase of cows, buffaloes and other animals, but only 14 actually did so. While only 5 had originally given construction of a house as their priority, as many as 17 had utilized the subsidy for land purchase or house construction. None of the remaining activities such as starting a shop or buying a Dunlop cart, etc. were not even started. Instead we have as many as 19 individuals who spent the subsidy on marriage, loan repayment or on medical expenses. Consequently at present as many as 35 of them are working as non-agricultural labourers and out of these 31 are still working in brick kilns.

Table 2.7: Details about the Rehabilitation Package Received by Bonded Labourers

	Details	Nos.
<b>1. Purpose for which subsidy was provided:</b>		
(i) Purchase of animals such as cows, goats, sheep & poultry		24
(ii) For purchase of buffaloes		6
(iii) Starting general merchant shop		9
(iv) For selling cloths		2
(v) For Dunlop Cart		3
(vi) Engine for <i>Atta-Chakki</i>		1
(vii) House Construction		5
<b>Total</b>		<b>50</b>
<b>2. Mode of Payment of Subsidy (Full Cash Payment)</b>		<b>50</b>
<b>3. Actual work done with the subsidy:</b>		
(i) Animal husbandry		14
(ii) House Construction/land purchase		17
(iii) Daughter's marriage		8
(iv) Repayment of loan		6
(v) Medical Treatment		1
(vi) Marriage/loan repayment		4
<b>Total</b>		<b>50</b>
<b>4. Was subsidy amount sufficient?</b>		
Yes		36
No		14
<b>5. If No, did you take loan to meet the additional expenditure?</b>		
Yes		8
No		6
<b>6. Source of loan and rate of interest:</b>		
Bank		6 (12.0%)
Moneylender		2 (24.0%)
<b>7. Average loan per person (Rs.)</b>		<b>3120</b>
<b>8. Purpose of loan:</b>		
(i) Purchase of animals		3
(ii) For agriculture		3
(iii) For marriage		2
<b>9. Has loan been repaid</b>		
Fully		6
Not yet		2

Only 14 (28 per cent) of the respondents have expressed their view that the subsidy amount was not sufficient. However, only about half of them took a loan to meet their additional requirements. Loans were taken for purchase of animals, for agricultural purposes or for marriage. The average amount of loan taken by these individuals work out to around Rs.3120 and till our survey 6 out of 8 had fully repaid the loan while the remaining two had not even started repayment (please see Table 2.7).

It is expected that the rehabilitation package should bring about a positive change in the conditions and overall outlook towards life among the beneficiaries rehabilitated under this programme. This is exactly what Table 2.8 aims to capture. The table highlights the fact that around 72 per cent feel that the rehabilitation package has been beneficial to them. Since they could either afford to construct a pucca house, are earning more now or feel that their living conditions have improved. The rest feel that they have not really benefited because the amount of subsidy provided really is not sufficient for the purpose for which it is given. A buffalo today may cost anything between Rs.12 to Rs.18 thousand and so one cannot even afford to purchase 2 buffaloes. Similarly, if you wish to open a shop then too this amount falls short of the minimum requirement.

What is rather disturbing is that as many as 31 out of the 50 respondents have not stuck to the occupation for which they had been given the subsidy. The explanations given include inadequacy of subsidy and the amount being diverted to house construction or non-productive activities, such as, marriage, loan repayment and illness. Four have reported that they are unfit to work, one is disable and rest are aged.

As a result of not sticking to the occupation for which they had indicated their inclination a sizeable number (86 per cent) are either non-agricultural labourers or are working as agricultural labourers. However, despite the fact that they are still labourers working for others, their incomes have gone up considerably after being released. As bonded labourers their average incomes worked out to below Rs.500 per month, now they are earning on an average Rs.1150 per month.

Not only have the incomes increased but this increase is also reflected in their ability to afford hours of leisure, which they can spend with their family, can afford better food, clothing, education and medical facilities, for their family members. This implies that their overall conditions of living have improved. However, what is still a grey area is that nearly 60 per cent feel that there has not been any improvement in their social status (Table 2.8).

Table 2.8: Improvement in conditions of Respondents after Rehabilitation

	Details	Number
1.	Have you benefited by the rehabilitation programme? Yes No	36 14
2.	If No, why not?	Subsidy amount is not sufficient
3.	If Yes, How? (i) Constructed a pucca house (ii) Earning higher income now (iii) Improvement in living condition	16 12 8
4.	Have you changed your occupation as compared to that for which subsidy was taken? Yes No	31 19
5.	If Yes, reasons for change (Multiple response)? (i) Subsidy amount insufficient (ii) Constructed a house (iii) Money had to be spent on other heads (marriage, loan repayment, illness, etc.) (iv) Not fit to work	14 11 9 4
6.	Present Average Monthly Income (Rs.)	1150
7.	How much has your income increased after rehabilitation? (i) More than doubled (ii) Between 50-80 per cent increase	28 22
8.	Has increase in income brought a change in the following aspects? (i) More time available for family: Yes No (ii) Able to provide education to child: Yes No (iii) Improvement in quality of life: Yes No (iv) Better medical facilities: Yes No (v) Improvement in social status: Yes No (vi) Can afford better clothing: Yes No (vii) Availability of food: Yes No (viii) Credit availability: Yes No (ix) Overall level of living: Yes No	50 -- 31 19 34 16 37 13 21 29 19 31 37 13 11 39 22 28

In the final section of the questionnaire we made an effort to obtain the perspective of the rehabilitated bonded labourers regarding various aspects related to the scheme. To begin with, we tried to find out whether they had any knowledge about any legal action being taken against those who had held them in bondage. Not even a single individual had any information in this connection. This is primarily because the entire lot of persons have been released from Gautam Budh Nagar and are now settled in their native place in Badaun district and so are totally unaware of the situation in that district (Table 2.9).

Table 2.9: Perspective of the Bonded Labourers in Badaun

Details		Number
	<b>Total Sample</b>	<b>50</b>
1	<b>Has the Government Registered case against your old master</b> Do not know	50 (They were released from around Noida – Gautam Budh Nagar)
2	<b>Has the Govt. efforts reduced the problem of bonded labourer</b> Yes No Do not know	24 10 16
3	<b>Are you receiving other benefits under different programmes of the Govt.</b> Yes No	17 33
4	<b>If Yes, What benefits? (Multiple Response)</b> (i) Worked as labour in JRY Scheme (ii) Kisan Credit Card (iii) Agriculture Input from block	17 2 1
5	<b>If No, Why?</b> (i) Lack of time (ii) Lack of knowledge about programme (iii) Less work days (iv) No timely payment of wages (v) Pradhan refused to help (vi) Work site is away from village	4 15 3 3 7 1
6	<b>Suggestion in the scheme of Rehabilitation (Multiple Response)</b> (i) Employment on other government scheme (ii) Subsidy amount should be increased (iii) No delay in getting subsidy after release (iv) Land should be allotted (v) Awas should be provided (vi) Training for self employment (vii) Old age pension/handicapped pension (viii) Loan should be provided (ix) BPL Card should be provided	5 33 21 4 12 15 6 2 2

According to the respondents nearly half of them are of the opinion that as a result of government efforts, the problem related to bonded labourers has been restricted. Around one-third of our respondents have also been beneficiaries of other governmental programmes. The



most important is the JRY, which all have availed. A few are also recipients of Kisan Credit Cards and agricultural inputs from the block. Among those who have not availed the benefits of these programme around half of them did not have any knowledge related to these schemes. The other reasons being non-cooperation from the Pradhan, lack of time at their disposal, non-timely payment of wages under JRY as well as insufficient days for which work is available (Table 2.9).

As far as suggestions for improving the scheme of rehabilitation are concerned, we have received multiple responses. Nearly two-thirds feel that the subsidy amount is too small to meet their requirements and that there is an urgent need to suitably enhance the amount keeping in view the prevailing prices. Over 40 per cent are of the opinion that a maximum time be fixed from the date of their release and the release of the subsidy amount. In their case they had to wait for four years. Added to it was the fact that even the initial subsidy amount was not given. Consequently, they had to face considerable hardships over the four year period. The other important aspect towards which they have drawn attention is that proper training be provided for the self-employment schemes, which they opt for. In Badaun, it may be pointed out that not a single individual was given any training. Yet another suggestion was that provision of housing and agricultural land could also be incorporated.

The analysis carried out therefore points out towards the fact that our beneficiaries were taken into bondage primarily because the activity in which they were engaged at time of becoming bonded was yielding lower incomes. They actually were lured into bondage on the false hope that they would earn a much higher amount by stating that per 1000 bricks they would be paid Rs.128/-. However, the actual amount received by them was even lower than what they had been earning at the time of becoming bonded.

As far as the rehabilitation scheme is concerned, our analysis reveals a few aspects towards which the government should take some steps so that the scheme can be made really effective. In the first instance, training should be made an integral part of the scheme. The rehabilitated bonded labourers suggest packages, which they feel will be useful for them to start venture that would ultimately make them self-reliant. However, our survey reveals that only a negligible proportion of these individuals have stuck to the occupation for which subsidy was provided. Besides training it is absolutely essential that there should be some sort of a follow-up programme of the department to see to it that the problems, if any, faced by these individuals can be sorted out. It is equally important to see to it that the subsidy amount is not wasted on unproductive expenditure like marriage and other social function. Yet another area where the government must ensure is that the subsistence amount is paid to each individual who is released from bondage and is being sent to his/her native place. For this, special provisions should be

made and the DM or other concerned official should see to it that they receive Rs.1000 as subsistence amount before being sent home. In the case of Badaun a period of four years lapsed before the rehabilitation package was distributed to them. Our data reveals 6 individuals have reported that they had repaid loans with the subsidy amount. It is not surprising to imagine that they must have faced considerable hardship in the four years during which they had to wait for the release of subsidy amount. This explains why around one-fourth have expressed the view that they have not benefited under the rehabilitation scheme.

### **Perceptions of Influential Persons on the Problem of Bonded Labourers and their Rehabilitation**

It was of paramount importance to analyze the problems of bonded labourers, the reasons for them becoming bonded and their views about the rehabilitation package themselves. However, it was also thought fit to obtain the perceptions of some influential persons of the districts surveyed by us about these various issues. Thus a separate questionnaire was designed for this purpose. The various categories of individuals who were identified for this survey included Members of the Vigilance Committees, individuals who were running an NGO, Government Officials, Social Workers and activists, educationists, politicians and officials from the Labour Commissioner's Office posted in the respective districts. A total of ten such persons were identified from each district. Some of the individuals who we interviewed belonged to more than one of the categories indicated above. For instance, the Vigilance Committee Member might be running an NGO, may be an educationist or even a political figure. However, we have kept the total sample at 10 only in the district. Table 2.10 gives all the relevant details of the association of our influential persons with the scheme of rehabilitation. Out of our sample of 10 persons, three each were Government Officials or political figures while two were selected from the list of members of the Vigilance Committee. Out of the rest one was running an NGO while the second was a social worker. They had been associated with this issue for varying periods of time four each upto five years and between 5-10 years. The remaining had been associated for over 10 years.

In their view the most important method for receiving authentic information regarding the presence of bonded labourers in any activity is that of personal contact as expressed by half of our influential persons. The next most important means, as suggested by 4, was complaints received by either relatives of the bonded labourers or other villagers. Thus, the role of institutions like NGO is relatively less important in the case of Badaun. The most important procedure adopted for the release of the bonded labourers is with the assistance of the SDM after

personal verification of the facts and presence of bonded labourers in a given unit. However, some have been stated that they can also be released through personal efforts. It is generally observed that if the bonded labourers are properly identified and the procedure for their release is followed as per the rules, there is no problem whatsoever in setting them free. However, some problems tend to arise when the captor of the bonded labourers happens to be an influential person. Secondly, there are times when the government officials tend to adopt an indifferent attitude. The Enforcement Officer from the Labour Commissioner's Office cannot conduct a raid in the premises where bonded labourers are working without the help of the local police. The

Table 2.10: Status and Details of Association of Influential Persons with Rehabilitation Scheme in Badaun

Details		Number
	<b>Total Sample</b>	10
1.	<b>Present Status:</b>	
	Member, Vigilance Committee	2
	Running NGO	1
	Government Official	3
	Social Worker/Activist	1
	Political Figure	3
2.	<b>Year of Association:</b>	
	01 – 05 years	4
	05 – 10 years	4
	Above 10 years	2
3.	<b>Source through which information of Bonded Labourer is Received:</b>	
	Personal contact	5
	Institutions (NGOs)	1
	Complaint form Relative/Villagers	4
4.	<b>Procedure adopted to Release Bonded Labourer (Multiple Response)</b>	
	Personal efforts	4
	With the help of SDM, after personal verification	8
	Do not know	1
5.	<b>Problem faced in Release of Bonded Labour (Multiple Response)</b>	
	Offender are influential person	2
	Indifferent attitude of Government Official	1
	Bonded Labour himself reluctant to accept that he is bonded	2
	No problem, if properly identified	4
	Do not know	2
6.	<b>Time Taken in Release of Bonded Labour:</b>	
	Less than 1 month	4
	01 – 03 month	6
7.	<b>Can Duration be reduced?</b>	
	Yes	2
	No	8
	<b>If Yes, How?</b>	
	Quick action by Government Official	2
8.	<b>Provision made for Bonded Labourer Immediately after their Release:</b>	
	Sent directly to their native place	5
	Refer case to Labour Office/SDM	3
	Provision of giving subsistence allowance	1
	Do not know	1

local police is not always able to provide the staff to carry out the raid and so the whole procedure tends to get unduly delayed. Yet another aspect is that there are times when the labourers themselves may refuse to accept the fact that they are being held in bondage. Consequently time taken to release them may take even less than a month as reported by 4 persons. However, it might take one – three months as indicated by the remaining 6. They are generally of the opinion that this duration can not be reduced any further. The only two influential persons who are optimistic feel that time duration can be effectively reduced through quick and immediate action by the government officials particularly the police department (Table 2.10).

In Table 2.11 we have information pertaining to the perception of our influential persons about the problems faced by released bonded labourers in their rehabilitation, the procedure of subsidy payment and its adequacy and other related issues. It is quite evident from the table that they are dissatisfied with the delays, which are caused, in timely payment of subsidy to these individuals. As many as 6 persons have expressed concern on this issue. Another two feel that they are unable to become self-reliant because they are illiterate and untrained. All except one was aware of the fact that the subsidy is provided through cheque by the DM of the district.

**Table 2.11: Perception of Influential Persons about Rehabilitation of Bonded Labourers**

Details		Number
1. What are the Problems faced by Bonded Labourers in their Rehabilitation?		
Bonded labourer do not receive full co-operation from Government Official		1
Are unable to manage out with the subsidy amount as they are generally illiterate/untrained		2
Delay in the process		6
No Problem		1
2. Procedure for providing subsidy:		
Do not know		1
Through cheque payment made by D.M.		9
3. Is the subsidy amount sufficient?		
Yes		2
No		8
4. If No, How much should it be?		
50,000		6
50,000 and above		2
5. Is the Rehabilitation Package approved by the Districts Screening Committee Economically sound and viable?		
Yes		7
No		2
Do not know		1
6. Do you Feel that training is required before Rehabilitation?		
Yes		8
No		1
Do not know		1
7. Do you feel that there are still Bonded Labourers in your area?		
Few		5
Negligible		4
May be, but not confirmed		1
8. Is there any case of relapse in your knowledge?		
No		10

Regarding the package itself as many as 8 feel that in the present situation the subsidy amount is too small for the individual to become self-sufficient and self-reliant in the activity, which he/she wants to pursue. Out of the total influential persons, 7 feel that the amount should be raised to Rs.50,000/- per person while the rest feel that it should be even higher. Majority of them (7 out of 10) held the view that the package, which is handed to them by the District Screening Committee, is economically viable. However, as many as 8 of them are very clear in their thinking that if the rehabilitation programme is to be successful, proper training is a necessity before subsidy amount is actually handed over to these individuals (Table 2.11).

What was slightly disturbing to note was the fact that almost all of them feel that there could be bonded labourers in their area. The responses are in the form of few, negligible and may be, but all go to prove that the efforts of the government need to be persisted with greater zeal, if the menace of bonded labourers is to be eradicated from our society (Table 2.11).

One of the important aspects of the Bonded Labour Abolition Act is that there is a provision of punishment to the guilty. Since the influential persons are involved with this problem we thought it appropriate to obtain their views on this issue as well as on the possible ways through which the scheme of rehabilitation can be improved upon. Details related to these have been tabulated and presented in Table 2.12.

**Table 2.12: Perception Regarding Action against Offenders**

Details		Number
1. Is Proper Action being taken against offenders?		
Yes		2
No		6
Do not know		2
2. Time-Frame within which cases are cleared:		
No fixed time		2
No case decided as yet		1
Do not know		7
3. Nature of punishment (Multiple Response):		
No strict law		1
Fine		3
Do not know		6
4. What suggestion are desirable to improve the scheme of rehabilitation (Multiple Response)		
Strict action against offenders and quick action		1
Proper evaluation and awareness campaign		2
Proper training and sufficient subsidy		7
Proper follow-up action		3
Scheme should be simple and quick disposal		4
Payment in kind and not in cash and good quality of animal		3
Arable land should be provided		2
Indira Awas should be given		2
Budget should be provided to Labour Department for follow-up action		1
Benefit in rural scheme should be given		2

It is unfortunate to note that hardly any action is being taken against those from whom the bonded labourers are released. In fact these influential persons are not even properly informed on this issue as 7 out of our ten members do not know whether any case was instituted against them and whether it has been decided. They are not even aware of the provisions of the law and the nature of punishment, which can be imposed on them if found guilty.

As far as suggestions for improving the scheme is concerned, the most important aspect according to them is provision of proper training before the subsidy package is given to them so that the labourers can put the money to optimal use. The next important aspect towards which they draw attention is that there should be quick disposal of the entire scheme. At present considerable time is lapsing between identification and release of bonded labourers and between their release and disbursement of subsidy. The other factors, which have been mentioned by a few influential persons, include proper follow-up action after the disbursement of the rehabilitation package, that payment should be made in kind and not cash. Added to it is that the items provided, e.g., animals, carts, etc. should be of good quality. Some even indicate that they should be provided with arable land and houses under the Indira Awas Yojana.

To sum up the views of our influential persons, it may be said that since we took care to select our sample from a cross-section including various categories of individuals all of whom are responsible people, we have had the advantage of a proper assessment of the situation from them. Accordingly proper procedures have been adopted for the release of bonded labourers after their identification and once proper procedures are adopted the process becomes free of complications and easy to adopt. However, still a considerable time lapse before an identified labourers can be released from bondage and against the time lapse before getting the rehabilitation subsidy too is of a fairly long duration. It is also indicated that keeping in mind the present day requirements the existing amount of subsidy of Rs.20,000 is not sufficient to ensure that the individual will be able to sustain the activity which he intends to start with this amount. Moreover, if he is to be able to sustain his activity successfully, it is also equally important to train him adequately mainly on account of the fact that these bonded labourers are illiterates or have a poor educational background. Consequently, their ventures fail and they are forced to become daily wage earners in non-agricultural occupations. It may, therefore, be added that along with the provision of compulsory training the rules must be modified in such a way that there should be a provision of regular follow-up by the concerned officials to ensure that the rehabilitation work is going on smoothly and the rehabilitated individuals are not faced with any problem in connection with the activity being undertaken by them.

## CHAPTER III

### ANALYSIS OF THE REHABILITATED BONDED LABOURERS IN BULANDSHAHAH DISTRICT

We have already pointed out that the analysis related to the evaluation of the scheme of rehabilitation of bonded labourers will be taken up separately for each of the three districts where this study was carried out by us. So far we have presented the facts and analysis of the situation that prevailed in Badaun. In this chapter we will take up Bulandshahar district. The list of rehabilitated bonded labourers provided to us by the Enforcement Officer comprised of a total of 39 individuals. However, we were able to cover 32 of these and these individuals were spread over 6 villages spread over 4 blocks of the district. Out of the 7 who could not be contacted by us, three each have migrated to Delhi and Haryana while the seventh person has expired. As was found in the case of Badaun all labourers from Bulandshahar as well were released from brick kilns. The only difference being that they were working in the brick kilns of Gautam Budh Nagar (15), Meerut (20) and Haryana (4).

#### Characteristics and Demographic Structure of the Bonded Labourers

The general characteristics of the bonded labourers whom we could cover in the district are presented in Table 3.1. It can be seen from the table that around 62.5 per cent of our bonded labourers are found in the age group of 26-45 years. Consequently a relatively much smaller proportion is found in the remaining age groups. The overall average age worked-out to be around 40 years. A majority of them (59 per cent) are males. The entire sample consisted of Hindus who belong to the SC/ST category. As can be expected only one was unmarried among them. As was the case in Badaun, a very high percentage (84 per cent) were illiterates (Table 3.1) even in Bulandshahar.

In the entire sample of 32 we found one-fourth who are presently unable to work either because they are old or are physically handicapped. Out of those who have indicated a primary occupation the maximum number are working as non-agricultural labourers. In fact around 10 out of these 18 workers are working in brick kilns around the area where they reside. Around 37.5 per cent of these workers are earning in excess of Rs.1000/- per month, while nearly 21 per cent earn between Rs.801 – Rs.1000. It is rather surprising to see that some of them are still earning as low as upto Rs.500 per month. Only one-fourth of these workers have a secondary occupation from which they earn another Rs.500 per month (Table 3.1).



Table 3.1: General Characteristics of the Bonded Labourers (Present Situation)

	Characteristics	Number
1	<b>Age Groups (Years)</b>	
	20-25	02
	26-45	20(62.5%)
	46-60	07
	60 & Above	03
	Average Age	40.13
	Total Sample	32
2	<b>Sex</b>	
	Male	19(59.38%)
	Female	13(40.62%)
3	<b>Religion</b>	
	Hindu	32
	Muslim	-
4	<b>Caste</b>	
	SC/ST	32
5	<b>Marital Status</b>	
	Married	29
	Unmarried	01
	Widow/Widower	02
6	<b>Educational Qualification</b>	
	Illiterate	27(84.38%)
	Literate	05
7	<b>Present Primary Occupation</b>	
	Agriculture & Animal Husbandry	05
	Agriculture Labour	01
	Non Agriculture Labour	18
	Retired/Unable to work	08(25.00%)
8	<b>Income from primary occupation (Rs.p.m.)</b>	
	Upto 500	04(16.67%)
	501-800	06(25.00%)
	801-1000	05(20.83%)
	1000 & Above	09(37.50%)
9	<b>Present Secondary Occupation</b>	
	Agriculture & Animal Husbandry	03
	Agriculture Labour	03
10	<b>Income from secondary occupation</b>	
	Income groups (Rs. Per month)	
	Up to 500	06

The living conditions and some very commonly held semi-durable assets held by these individuals is depicted with the help of Table 3.2. In fact this analyses the situation with respect to these amenities before and after rehabilitation. It is quite evident from the table that a considerable change is observed in the type of house, which these individuals possess after rehabilitation as compared to earlier. Earlier around 84 per cent of these bonded labourers were

living in kutcha hutments while only around 6 per cent had a pucca accommodation. However, if you look at the post-rehabilitation scenario, it is found that almost 47 per cent of them now have a pucca accommodation. Unfortunately, their conditions regarding the other amenities of life have remained more or less the same whether we look at availability of electricity or toilet facilities or semi-durable assets like a cycle, radio or transistor set or a wristwatch (Table 3.2).

Table 3.2: Living Conditions and Assets of Households

	Living conditions and assets of Households	Before Rehabilitation	After Rehabilitation
1.	<b>Type of House</b>		
	Kutcha	27 (84.38%)	11 (34.38%)
	Partly Pucca / Kutcha	03 (09.38%)	06 (18.75%)
	Pucca	02 (06.24%)	15 (46.87%)
2.	<b>Electricity</b>		
	Yes	02	02
	No	30 (93.75%)	30 (93.75%)
3.	<b>Drinking Water</b>		
	Yes	30 (93.75%)	29 (90.62%)
	No	02	03
4.	<b>Toilet</b>		
	Yes	03	03
	No	29 (90.62%)	29 (90.62%)
5.	<b>Watch</b>		
	Yes	02	04
	No	30 (93.75%)	28 (87.50%)
6.	<b>Radio/Transistor</b>		
	Yes	01	03
	No	31 (96.88%)	29 (90.62%)
7.	<b>Cycle</b>		
	Yes	06	06
	No	26 (81.25%)	26 (81.25%)

Looking at the demographic structure of the households in Bulandshahar, it was found that there were a total of 184 family members in our 32 households. Thus, the average size of the household worked out to be 5.75, which was somewhat higher as compared to Badaun. A rather depressing picture emerges when we look at figures related to education. If we deduct 24 children below the age group of 5 years, we are left with 160 persons of whom 125 (78 per cent) are illiterates. In fact in our entire sample only one individual has passed High School and only 3 have studied upto Class VIII. What makes the picture even more disturbing is that out of the 71 children in the 6-14 years age group, which forms the main age during which a child should cover studies upto Class VIII only 10 (around 14 per cent only) are either studying or have studied in a school. We may recall that while the percentage of illiterates was high even in the

case of Badaun, this was mainly among the adults, a much higher proportion of children were either attending school or had studied upto some level at least. Another phenomenon is that out of our total household members if we deduct the children, whose who are working constitute around 44 per cent individuals. Here also Badaun scored over Bulandshahar with nearly 64 per cent workers among the family members who were above 14 years old. All these details are provided in Table 3.3.

Table 3.3: Demographic Structure of the Households

Family Members	Total family members	Education						Activity Status							
		Child below 5 years	Illiterate	Literate	Upto Class- V	Junior Basic School	High School	Working	Student	Unemployed	Housewife	Old age/Retired	House hold Work	Neither working nor studying	Child
Adult Male	38	-	28	8	-	1	1	34	-	-	-	4	-	-	-
Adult Female	37	-	34	3	-	-	-	21	-	-	10	6	-	-	-
<b>Children</b>															
Below 5 Yrs	24	24	-	-	-	-	-	-	-	-	-	-	-	-	24
6-11 Years	47	-	39	-	8	-	-	-	8	-	-	-	15	24	--
11-14 Years	24	-	18	4	1	1	-	6	4	-	-	-	8	6	-
14-17 Years	14	-	6	7	-	1	-	10	-	-	-	-	4	-	-
<b>Total</b>	<b>184</b>	<b>24</b>	<b>125</b>	<b>22</b>	<b>9</b>	<b>3</b>	<b>1</b>	<b>71</b>	<b>12</b>	<b>-</b>	<b>10</b>	<b>10</b>	<b>27</b>	<b>30</b>	<b>24</b>
<b>Average Family Size</b>	<b>5.75</b>														

Looking at the present occupational distribution of the members of the households of the rehabilitated bonded labourers only 9 (12.68 per cent) out of the total 71 workers are engaged in agriculture and allied activities. Slightly over half of them are non-agricultural workers while the rest are agricultural labourers. The monthly income of nearly 40 per cent households is upto Rs.500/- while that of around 25 per cent ranges between Rs.500 – 1000 per month. The relatively low incomes are on account of the fact that slightly over one-third of the workers in these two income categories are found in the age group of 11-17 years. Consequently they are earning relatively less than the elders. However, over one-third (35 per cent) workers are earning between Rs.1000 – 2000 per month and so the overall average monthly earnings of these households works out to be around Rs.1777/-. For all these details please see Table 3.4.

Table 3.4: **Occupational Distribution and Income Pattern of Households Members**

Family Members	Occupational Categories			Monthly Income of the households			
	Agriculture & Animal Husbandry	Agriculture Labour	Non-Agr. Labour	Up to 500	500-1000	1000-2000	Average Monthly Income
Adult Male	1	6	27	2	9	23	
Adult Female	2	12	7	12	7	2	
<b>Children</b>							
Below 5 Years	-	-	-	-	-	-	
6-11 Years	-	-	-	-	-	-	
11-14 Years	2	2	2	6	-	-	
14-17 Years	4	6	-	8	2	-	
<b>Total</b>	<b>9</b> <b>(12.68%)</b>	<b>26</b> <b>(36.62%)</b>	<b>36</b> <b>(50.70%)</b>	<b>28</b> <b>(39.44%)</b>	<b>18</b> <b>(25.35%)</b>	<b>25</b> <b>(35.21%)</b>	<b>1777</b>

N.B. : Figures in brackets are percentage to total workers.

### **Background of the Bonded Labourers and Factors Leading to Bondage**

One section of our questionnaire was designed towards obtaining various types of information from our respondents related to facts just before they were bonded. These facts are presented in Table 3.5. The table reveals that all those who were made bonded were above 15 years old and so were able bodied persons capable of putting in hard labour. Despite one lady who was a housewife all others were engaged as labourers in non-agricultural activities. They were mainly concentrated in age group of above 30 years as these accounted for around 62.5 per cent of our total sample. Prior to their being bonded their earnings were quite low and some earned as low as below Rs.500 per month. This is so since a few are disabled individuals. However, a majority of them (almost 72 per cent) earned above Rs.500 per month and their average earnings worked out to be just above Rs.700, which itself was low as it works out to below Rs.25 per day per person (Table 3.5).

All of them became bonded and worked in brick kilns and there were a variety of reasons, which forced them to become bonded. These included debt, poverty and lack of work in their native place. Because of lack of work around 40 per cent moved out to the other destination seeking better opportunities. However, it was their misfortune that they were forced into becoming bonded because the owners of brick kilns gave them a false hope of payment at the rate of Rs.130 for every 100 bricks. Going by the average work efficiency it is estimated that every worker should receive a minimum of Rs.1200 – 1500 per month. Thus, their plight can be seen from the fact that average actual earnings are less than half of their productivity. It was, however, extremely fortunate that the duration for which they remained bonded was less than one year (Table 3.5).

Table 3.5 : Background of Bonded Labourers

1.	<b>Age at the time of becoming bonded (Years):</b> 15-25 25-30 30-40 Above 40 Total	 05(15.62%) 07(21.88%) 12(37.50%) 08(25.00%) 32(100.0%)
2.	<b>Activity before becoming bonded:</b> Household work Non-Agriculture Labour	 01(03.12%) 31(96.88%)
3.	<b>Monthly earning of the employed respondents:</b> Below 250 250-500 Above 500 Average monthly earnings (Rs)	 02(06.30%) 07(21.88%) 23(71.88%) 711
4.	<b>Place where you served as a bonded labour</b> Brick kilns	 32
5.	<b>Circumstances forcing you to become bonded</b> Debt Poverty In search of high wages Lack of work in native place	 06(18.75%) 05(15.62%) 13(40.63%) 08(25.00%)
6.	<b>Nature of work done as bonded labour</b> Prepare raw bricks Soil preparation for bricks Coal breaking	 21(65.63%) 09(28.12%) 02(06.25%)
7.	<b>Mode of payment</b> Monthly @Rs.130/=per 1000 bricks	 32
8.	<b>Amount of payment (Rs.p.m.)</b> 250-500 Above 500 Average monthly earnings (Rs)	 12(37.50%) 20(62.50%) 594
9.	<b>Was the payment of wages adjustment against the debt</b> Yes No	 06(18.75%) 26(81.25%)
10.	<b>Number of years you had to remain bonded</b> Up to 6 Months 7 Months to 1 Year	 01(03.12%) 31(96.88%)

The process of rehabilitation of bonded labourers from the time of their identification and release and upto the payment of the actual rehabilitation involves a number of stages and so our questionnaire had been designed to cover all these aspects. In the case of Bulandshahar all the bonded labourers were identified by social workers who are primarily lawyers. It is being felt that there is a nexus between these lawyers and some workers in brick kilns and that they are not bonded labourers at all but pretend having served as bonded labourers in order to avail the rehabilitation subsidy. The lawyers also get a cut from the package for handling their cases. We could not obtain any concrete evidence of this fact but this view was shared not only by the owners of the brick kilns but also some government officials. Therefore, there is a need to carefully examine each case and

verify the authenticity of the claim of the individual before declaring him bonded and offering the rehabilitation package to him/her. The details regarding the various factors leading to their identification, release and rehabilitation are provided in Table 3.6.

Table 3.6: Details Regarding Release of Bonded Labourers

	<b>Total Sample</b>	<b>32</b>
1	<b>Identifying Agency</b> Social Worker	32
2	<b>Month of Release</b> February	32
3	<b>Released Year</b> 2000	32
4	<b>Year of Rehabilitation</b> 2004 2005	29 03
5	<b>Month of Rehabilitation</b> March	32
6	<b>Year of Identification</b> 2000	32
7	<b>Place of Rehabilitation</b> Village	32
8	<b>Place of your choice</b> Yes No	30 02
9	<b>Problem facing in new place</b> No problem	32
10	<b>Received Subsistence amount</b> Yes No	04 28
11	<b>Subsistence amount received (per bonded labour)</b>	<b>1000</b>
12	<b>Time taken between release and rehabilitation</b> 4 Years and above	32
13	<b>Was training received</b> Yes No	- 32
14	<b>Month of receiving subsidy</b> March April	31 01
15	<b>Year of receiving subsidy</b> 2004 2005	29 03
16	<b>How did you received the amount</b> Full Payment	32
17	<b>Did you face any problem in receiving subsidy</b> Yes No	30 02
18	<b>If yes, Nature of problem (Multiple response)</b> More Time Excessive paper work	31 01

The entire lot of bonded labourers who have been rehabilitated in Bulandshahar were identified and released in the year 2000. However, even in their case 4 years lapsed before the rehabilitation package was handed out to them. An identical situation had been observed even in the case of Badaun. Since the entire lot of workers had a rural background they were rehabilitated in their native place. However, two of them claim that the place where they have been rehabilitated was not of their choice. In any case none of them had any problem in the place of their rehabilitation. Although not even one individual had received the subsistence amount of Rs.1000 at the time of their release in the case of Badaun, four persons in Bulandshahar had received this amount. It is very important that subsistence amount should be duly paid before the individual is sent home because this enables him/her to make two ends meet till an alternative source of regular income is found by them. It has been indicated that although the District Magistrate does not have a specific fund to meet expenditure on this head, he can certainly exercise the opinion open to him under provision TR 27. The subsidy amounts were received by the rehabilitated labourers in full and in one installment. However, they have all reported difficulty in receiving simply because the fact that it took 4 years for the government to clear their package and provide the subsidy to them. Since the people involved in the scheme are from the poorest sections of society, care should be taken to complete all the formalities related to rehabilitation and ensure that the package is delivered as early as possible (Table 3.6).

It was a part of the objective of the study to analyze the impact of the rehabilitation scheme on the labourers. We, therefore, collected information on various aspects such as the purpose for taking loan, actual use to which the subsidy amount was utilized for, etc. For information related to these aspects, please refer to Table 3.7. The entire lot of bonded labourers who were rehabilitated in Bulandshahar had taken the subsidy package either for purchasing buffaloes (29 respondents) or to take up to poultry farming (3 respondents). However, only 11 out of them actually utilized the money for this purpose. The rest spent it exclusively on house construction, marriage of their daughters, illness or jointly on some of these items. Consequently only five of them are having animal husbandry as their primary occupation. This also goes to show that as per the present rules and procedures adopted by the office of the Labour Commissioner, which deals with the rehabilitation programme, there is no means of ensuring that the money provided by the government is used for the purpose for which it had been approved. The objective of the scheme is to make them self-dependent but it is observed that 18 out of 32 (around 56 per cent) have fallen back on their primary occupation (prior to becoming bonded labourers) of working as non-agricultural labourers. Despite the fact that a majority of these labourers did not utilize the money provided to them for rehabilitation on the activity



indicated by them almost 91 per cent are of the view that the amount provided for rehabilitation is insufficient to start any venture and sustain it over a period of time. However, only one out of the 29 dissatisfied individuals took a loan of Rs.15000 from the village moneylender at 36 per cent for the poultry farm which he has developed. As a result of a large number of individuals being dissatisfied with the amount given under the rehabilitation package only around 40 per cent feel that they have benefited by getting the subsidy. The three aspects indicated by them are possession of a pucca house, a higher income and so an improvement in the standard of living. Their present average monthly income of the households taken together works out to be Rs.789 (see Table 3.7).

Table 3.7: Details about the Rehabilitation Package Received by Bonded Labourers

Sl. No.	Details	Nos.
1.	<b>Purpose for which subsidy was provided:</b> Buffaloes Poultry Farming Total	 29 03 32
2.	<b>Actual work done with subsidy:</b> Purchase of Buffaloes, etc. Poultry farming Medical treatment Daughter's marriage Repayment of debt/loan House construction Mixed expenditure (Animal purchase, house construction, medical treatment)	 07 04 04 04 03 06 04
3.	<b>Was Subsidy amount sufficient?</b> Yes No	 03 29
4.	<b>Loan taken to meet your requirement?</b> Yes No Amount of Loan (Rs.) Source of Loan Rate of Interest Purpose of Loan	 01 28 15000 Moneylender 36% Poultry farming
5.	<b>Have you benefited from the subsidy?</b> Yes No	 13 19
6.	<b>If Yes, in what way?</b> Constructed pucca house Improvement in standard of living Higher income	 05 04 04
7.	<b>Present average monthly income (Rs.)</b>	789

In continuation of our efforts towards assessing the impact of the rehabilitation programme, we asked the labourers to provide certain other information related to change in

their lifestyle and overall quality of life as well as social status. These aspects have been tabulated and are being presented in Table 3.8.

**Table 3.8: Improvement in the Condition of Respondents after Rehabilitation**

	Change	Number
1.	Total Sample	32
2.	Have you changed your occupation after rehabilitation?	21
	Yes	11
	No	
3.	If yes reasons (Multiple Responses?)	
	Death of animal/poultry	05
	Physically handicapped so can not work	08
	Amount spent on house construction	06
	Amount spent on other activities (illness, marriage, etc.)	06
4.	Have Government Officials or NGO's visited you after Rehabilitation?	
	Yes	01
	No	31
5.	What are your present average monthly earning (Rs)	790
6.	Has income changed after rehabilitation?	
	Increased Less than double	17
	No change	15
7.	After rehabilitation has there been improvement in the following aspects	
	(a) Giving more time to your family:	
	Yes	31
	No	01
	(b) Providing education to the children:	
	Yes	10 (31.25%)
	No	22 (68.75%)
	(c) Providing Medical facilities to your family:	
	Yes	20 (62.50%)
	No	12 (37.50%)
	(d) Improvement in quality of life:	
	Yes	08 (25.00%)
	No	24 (75.00%)
	(e) Improvement in social status:	
	Yes	11 (34.37%)
	No	21 (65.63%)
	(f) Can afford better clothing:	
	Yes	13 (40.60%)
	No	19 (59.40%)
	(g) Availability of food:	
	Yes	17 (53.13%)
	No	15 (46.87%)
	(h) Credit availability:	
	Yes	07 (21.87%)
	No	25 (78.13%)
	(i) Overall level of living:	
	Yes	07 (21.87%)
	No change	25 (78.13%)

The facts presented in Table 3.8 clearly indicate that as a result of the rehabilitation package being spent on activities other than that for which money was received by them a majority of them have accepted that they have changed their occupation. In fact out of the 11 persons who had actually started the activity in accordance to the rehabilitation package (see Table 3.7) only 5 are presently engaged in the same activity. The reasons cited by these persons are that their animals or poultry had died forcing them to take up an alternative occupation or that incomes from the activity were inadequate to be able to sustain their household. The rest have frankly admitted that the subsidy amount was spent on non-productive activities such as house construction, marriage and for meeting medical expenses. This once again highlights some *neglected aspects of our rehabilitation programme*, which are providing training to the rehabilitated bonded labourers and to ensure a system of follow-up for at least one year after the release of the subsidy to sort out the problems of the individuals and to see to it that as far as possible they are able to sustain the activity started by them. In the absence of any follow-up measures by the government it was not at all surprising to observe that no government official visited these individuals after the rehabilitation subsidy was made available to them. Their economic condition at present can be gauged from the fact that they were earning on an average Rs.790 per month, which might be much more than what they were earning while they were bonded but was not very much better than their average monthly earning just prior to becoming bonded. This is because even then a majority of them were primarily non-agricultural workers and the same holds true as of the present as well. However, if you look at what they earned as bonded labourers then too around 50 per cent only claim that their income has increased but not even tow-folds while the rest claim that there is not much change even in their income from the days of bondage.

As a consequence of their economic condition not being very much different than what it was earlier we do not even find their responses very favourable with respect to improvements in other aspects of their life. For example less than one-third feel that they are in a position to provide education to their children, only around 40 per cent feel that they can afford better clothing and just over half feel that their condition regarding availability of food has improved considerably. However, around 62 per cent are now in a position to afford medical facilities. As a result of the fact that not much has changed in the lives of our rehabilitated bonded labourers only 25 per cent feel that there has been improvement in their quality of life and barely 22 per cent feel that a positive impact is found on their levels of living. Equally important is that along with their economic condition even from the social angle not much has changed since around two-thirds feel that their social status remains as it used to be earlier (see Table 3.8).

In the final section of our questionnaire, formulated to obtain information from our rehabilitated bonded labourers, our aim was to find their views and perceptions related to the scheme of rehabilitation. For all the details related to these aspects please refer to Table 3.9. As already indicated earlier, since all these individuals were being held in bondage outside Bulandshahar it is quite understandable that none of them have any information as to whether or not criminal cases have been registered against those individuals who had held them as bonded labourers. However, around 63 per cent of them are of the view that as a result of the various governmental efforts the problem of keeping bonded labourers has been checked. Only around 22 per cent feel that not much dent has yet been made in solving this problem.

Table 3.9: Perspective of the Bonded Labourers

Details		Total Sample
1. Has the Government Registered case against your old master		
Do not know		32
2. Has the Govt. efforts reduced the problem of bonded labourer		
Yes		20 (62.50%)
No		07 (21.87%)
Do not know		05 (16.63%)
3. Are you receiving other benefits under different programmes of the Govt.		
Yes		13 (40.63%)
No		19 (59.37%)
4. If Yes, What benefits? (Multiple Responses)		
Worked as labour in Indira Awas Yojana		11
Worked as labour in JRY Scheme		13
5. If No, Why?		
Lack of knowledge about programme		06
Pradhan refused to work		09
Less work days		03
Work site is away from village		01
6. Suggestion in the scheme of Rehabilitation (Multiple Response)		
Employment on other government scheme		09
Subsidy amount should be increased		29
No delay in getting subsidy after release		07
Land should be allotted		14
Awas should be provided		10
Training for self employment		12
Old age pension/handicapped pension		03
Loan should be provided		02

Besides the rehabilitation package received by them, it was good to observe that many of them are also aware of the other on-going schemes of the government and around 40 per cent have even availed the benefits of these schemes. In fact we have people who have been benefited by more than one scheme. The two schemes, which have been identified, are Indira Awas Yojana

(11 respondents availed the scheme) and the JRY scheme under which 13 individuals have received employment. Only very few (6 in the entire sample) were not aware of these schemes. The rest could not avail them either because of the non-co-operation from the Pradhan, work site being far from their village or on account of lack of interest shown by them since they felt that under the JRY project work was available only for a few days (Table 3.9).

As far as suggestions for improving the scheme is concerned, an overwhelming proportion (almost 91 per cent) of our respondents feel that the amount of subsidy needs to be increased. The other aspects which they feel should be given importance is provision of training, allotment of land and houses under the Indira Awas Yojana to the rehabilitated bonded labourers (Table 3.9).

Our analysis of the rehabilitated bonded labourers surveyed by us indicates that all of them belonged to Scheduled Caste families and all of them were being held in bondage in brick kilns in Gautam Budh Nagar, Meerut and Haryana. They are mainly illiterates and became bonded labourers simply because their levels of income were too low to be able to sustain their households and consequently they moved out of Bulandshahar in the hope of getting better employment opportunities. They accepted work in the brick kilns in the hope of getting higher wages, which could have worked out to between Rs.1500-2000 as compared to just over Rs.700 per month that they were earning. However, this was not to be because once they started work their average monthly earnings fell to below Rs.600.

Their cases of being in bondage were identified as early as 2000 AD but it took four years for them to receive their rehabilitation package. Moreover except for four no one received the subsistence allowance at the time they were released and sent to their native place. Moreover there is a tendency among these rehabilitated bonded labourers to spend the subsidy amount on activities other than that for which it was originally provided for. Consequently rather than be self-employed and self-reliant they end up by becoming non-agricultural workers. The adverse effect of this are that although their monthly earnings may be higher than that being received by them as bonded labourers, it is not very much different from what they used to be just before becoming bonded labourers. As a result, there is hardly a change in their socio-economic condition and overall quality of life. This, therefore, means that the labour departments work would not end at releasing the bonded labourers and providing them with a rehabilitation package but calls for greater involvement. There is a need to provide training to them, in identification of economically viable activities and in helping them not only at the stage of setting up of their enterprise but also even afterwards for at least a minimum time till they can manage their own affairs without too much of a problem. These measures will ensure that they

are compelled to take up a productive activity with the subsidy amount rather than squander it away on marriages, etc.

In the case of the released bonded labourers of Bulandshahar there are some apprehensions that these individuals were not bonded at all and that the social worker who arranged for their release and ultimate rehabilitation were lawyers who joined hands in preparing their cases. The officials from the Labour Commissioner's Office posted in the various districts must also properly verify the various facts before taking action.

### **Perceptions of Influential Persons on the Problems of Bonded Labourers and their Rehabilitation**

As has already been pointed out in the previous chapter, not only was it of importance to conduct a survey of the rehabilitated bonded labourers but also to hold discussions with some influential persons of the district in order to obtain their views and perceptions regarding the problems related to bonded labourers and the very scheme of rehabilitation itself. Even for the influential persons a questionnaire had been designed and a total of 10 persons were selected for obtaining the desired information. The sample of influential persons was drawn from those who were members of the Vigilance Committee, educationists, people who were running a Non-Governmental Organization, other social workers or social activists or even some political figures who have been associated with the various aspects related to problem of bonded labourers.

Table 3.10 provides various details about the influential persons interviewed by us and their association with the scheme of Rehabilitation of Bonded Labourers. For our survey we selected two members of the Vigilance Committee, four Government Officials, three from the political field who are working for the people's cause within Bulandshahar and one social worker. Except for one individual who has been associated with this aspect for less than five years all the others have had a fairly long association in some form or the other. According to their assessment the most important source of getting information about the presence of bonded labourers are the relatives of the individuals or the villagers of their native place. The next important source is through personal contact with various people of the area through whom they are able to obtain such information. The method of release of the bonded labourers as suggested by majority of the influential persons is that of release with the help of the SDM after verification of the presence of bonded labourers in any unit. In fact this is the legal procedure as well. Unfortunately two of them were ignorant of the procedure. Among the various problems in releasing the bonded labourers four feel that there is no problem as such involved in releasing

Table 3.10: Status and Details of Association of Influential Persons with Rehabilitation Scheme

	Details	Number
	Total Sample	10
1.	<b>Present Status</b>	
	Member vigilance committee	02
	Government Official	04
	Social worker/Activist	01
	Political Figure	03
2.	<b>Year of association</b>	
	1-5 Years	01
	5-10Years	05
	Above 10 Years	04
3.	<b>Source through which information of bonded labour in received</b>	
	Personal contact	03
	Complaint from Government official	01
	Complaint from relative/villagers	06
4.	<b>Procedure adopted to free bonded labour (Multiple response)</b>	
	Personal efforts	03
	With the help of SDM, after personal verification	07
	Do not know	02
5.	<b>Problem faced in released of bonded labour (Multiple response)</b>	
	Offender are influential persons	03
	Bonded labour himself reluctant to accept that he is bonded	03
	No problem is properly identified	04
	Do not know	03
6.	<b>Time taken in release of bonded labour</b>	
	Less than 1 month	08
	1-3 month	02
7.	<b>Can duration be reduced</b>	
	Yes	02
	No	08
	<b>If yes, how</b>	
	Quick action by Govt. Official	02
8.	<b>Provision made for bonded labour immediately after their release</b>	
	Sent directly to their native place	05
	Provision of giving subsistence allowance	02
	Do not know	03

them once they have been properly identified. However, some feel that problems arise at times on two accounts. The first being the fact that those who keep bonded labourers are generally influential persons and so conducting raids on their premises to certify the presence of bonded labourers is at times difficult. Equally important is the fact that at times the bonded labourers are themselves reluctant to accept the fact that they are being held bonded. This could be out of fear or because they feel shy to accept the reality as it would lower their image among their relatives and acquaintances. A majority of the influential persons feel that once a bonded labourer has



been identified it does not normally take more than one month to arrange for his release. The two who say that it may take upto 3 months say so on grounds of the fact that release is possible only when a raid is conducted with the help of local police. There are times when the officials of the labour department have to wait before police help is available. Since a majority feels that bonded labourers are released within a month it is being felt that it is not possible to reduce this time duration any further (Table 3.10).

Despite the fact that most of the influential persons have been associated with this issue for some length of time, it was surprising to see that 3 of them did not know about the provisions which exist for the bonded labourers immediately after their release and out of the rest as many as 5 have simply responded that they are sent home soon after their release. Thus, barely 2 out of them were aware of the provision of payment of the Rs.1000 which is to be given to each released bonded labourers before he is sent home. It may be recalled that only 4 out of our rehabilitated bonded labourers were paid this subsistence money. Therefore, there seems to be a need to make all people, who are involved in the rehabilitation of bonded labourers, fully aware of all the provisions under the scheme of rehabilitation (Table 3.10).

If we look at the views expressed by the influential persons about the problems related to rehabilitation of the bonded labourers, the most important aspect towards which attention is drawn is that excessive time lapses between their release and disbursement of money under the rehabilitation package. Only two of our influential persons hold the view that there are no problems which the bonded labourers face. While 8 of them knew that subsidy is provided through cheque by the DM of the district where they are rehabilitated, there were 2 who had no knowledge in this regard. This once again reflects on the need to make these people fully aware of the various provisions of the scheme (for details please see Table 3.11).

Only half of our influential persons are satisfied with the subsidy amount. The rest feel that it should be between Rs.25,000 – Rs.50,000 keeping in mind the fact that the rehabilitation package has the ultimate objective of providing self-employment to the beneficiaries on a sustained basis. However, a majority of them feel that the packages approved by the district level screening committee are economically viable. But at the same time a majority lays stress on the provision of adequate training before the package is handed over to them. Finally, while they feel that there are no cases of relapse in the sense that once a labourer is released from bondage he/she is bonded again, they feel that the government's efforts to eradicate the problem of bonded labourers has not met with total success as yet and consequently the existence of bonded labourers persists in the district (Table 3.11).

Table 3.12: Perception of Influential Persons about Rehabilitation of Bonded Labourers

	Details	Number
1	<b>What are the problem faced by bonded labour in their rehabilitation</b> Bonded labour do not receive full co-operation from government official Are unable to manage out with the subsidy amount as they are untrained/Less subsidy Delay in the process No problems	1 4 3 2
2	<b>Procedure for providing subsidy</b> Do not know Through cheque payment made by D.M.	2 8
3	<b>Is the subsidy amount sufficient</b> Yes No	5 5
4	<b>If no how much should it be</b> 25000 25000-50000	1 4
5	<b>Is the rehabilitation package approved by the districts screening committee economically sound and viable</b> Yes No Do not know	7 1 2
6	<b>Do you feel that training is required before rehabilitation</b> Yes No Do not know	6 2 2
7	<b>Do you feel that even there are now bonded labour in your area</b> Few Negligible May be but not confirmed	1 7 2
8	<b>Is there any case of relapse in your knowledge</b> No	10

The aspects related to cases registered against those who commit the crime of keeping bonded labourers whether punishment is actually given to them and their suggestions for improving the scheme of rehabilitation also were included in our questionnaire and the information relevant to these aspects is being discussed below with the help of Table 3.12. Only half the influential persons feel that action is taken against the offenders. However, no one is aware as to the time taken in the clearance of such cases. They are also unaware of the type of punishment, which any one keeping bonded labourers could be given if ultimately found guilty by the court.

Various suggestions have been offered by these individuals for improving the scheme. The suggestions drawing maximum response is the provision of proper training and an increase in the subsidy amount. The next most important aspect is that the scheme should be simple in every respect of its formulation so that it can be implemented in a short time rather than take years as is the case at present. It is also being felt that in order to avoid misutilization of subsidy, payment should be made in kind and not through cheque. The other areas indicated are that the rehabilitated bonded labourers

should be facilitated by providing them land and by making them beneficiaries under the Indira Awas Yojana and other developmental programmes of the government. Some have even pointed out towards the need to have a separate budget with the labour department for taking follow-up measures after distribution of the rehabilitation package (Table 3.12).

Table 3.12: Perception Regarding Action against Offenders and Suggestions

	Details	Number
1	Is proper action being taken against offenders	
	Yes	5
	No	2
	Do not know	3
2	Time from within which cases are cleared	
	No fixed time	2
	Do not know	8
3	Nature of punishment (Multiple Response)	
	No strict law	2
	Do not know	8
4	What measures are desirable to improve the scheme of rehabilitation (Multiple Response)	
	Strict action against offenders and quick action	2
	Proper evaluation & awareness campaign	1
	Proper training and sufficient subsidy	8
	Proper follow up action	2
	Scheme should be simple & quick disposal	6
	Payment in kind and not in cash & good quality of animal	5
	Child should not be treated as bonded labour	2
	Arable land should be given (Allotted)	2
	Indira Awas should be given (Allotted)	1
	Budget should be provided to labour department for follow up action	2
	Benefit in rural scheme should be given	3

We may, therefore, sum up the views of our influential persons by first indicating that although they have been associated with the problem for some time they still seem to be ill-informed about the various provisions under the scheme. However, they hold the view that proper procedures are adopted in the release of bonded labourers and also that the packages which are made available are economically viable. Their main complaint is that too much time lapses from the date of release of bonded labourers and the date on which they receive their rehabilitation packages. Moreover, they are of the opinion that proper training should be provided to each individual before subsidy is given to him/her and that the subsidy amount needs to be increased suitably. If proper training is given and subsidy amount rationalized they feel that the ventures undertaken by them will certainly help them to become self-employed on a sustained basis.

## CHAPTER IV

### REVIEW OF THE BACKGROUND AND CONDITION OF REHABILITATED BONDED LABOURERS OF MUZAFFARNAGAR DISTRICT

The third district in which we evaluated the scheme of rehabilitation of bonded labourers was Muzaffarnagar. This was the district where the size of our sample was largest. In fact it was almost twice that of the other two districts put together. The list of rehabilitated bonded labourers which was provided to us was 188. However, we were able to contact 153 out of them and they were spread over 15 villages and a town of the district. The entire lot was working as bonded labourers in brick kilns. The maximum number of them 78.7 per cent were released from Meerut. Out of the remaining persons around 15.4 per cent were bonded in Ghaziabad while the rest from Ferozabad. Out of those who could not be contacted some had migrated, some ladies had got married and left the village or had expired.

#### Characteristics and Demographic Structure of Bonded Labourers

The general characteristics of the released and rehabilitated bonded labourers of Muzaffarnagar covered under the survey conducted by us and presented in Table 4.1. It can be seen that our sample has people from all age groups starting from upto 15 years to over 60 years. Maximum number was found concentrated in the 26-45 year age group which alone accounted for almost one-third of our total respondents. The average age of all persons taken together worked out to 27.24 years. The percentage of males in our sample was much higher (59.5 per cent) as compared to females and the sample was equally distributed among Hindus and Muslims. All the Hindus belonged to Scheduled Caste. Over two-thirds of them were illiterate. Among those who had some schooling around 14 per cent had studied upto class V while around 9 per cent had studies upto junior high school level. Less than 5 per cent of our respondents had studied upto high school or above.

If we look at their primary occupation almost 42 per cent are non-agricultural labourers while 21 per cent are cultivators or engaged in the animal husbandry sector. In the case of Muzaffarnagar we found around 6 per cent individuals who were self employed. One fourth of them were not working since they were children, students, housewives or retired persons. Less than one fourth of them reported having a secondary occupation. They were found to belong to different income groups. Slightly over one fourth (around 29 per cent) were earning below Rs.500 per month while almost one-third (around 32 per cent) were found in the income group earning between Rs.500-800

per month. Around 17 per cent each were found in the relatively higher income categories of Rs.800-1000 and above Rs.1000 per month. Income from secondary occupation is barely around Rs.500 per month. This goes to show that the income of our rehabilitated labourers even at the present is rather low (Table 4.1).

Table 4.1: General Characteristics of the Bonded Labourers of Muzaffarnagar (Present Situation)

Sl. No.	Characteristics	Total Number (153)
1.	<b>Age-Groups (Years)</b> Upto 15 years 15 – 20 years 21 – 25 years 26 – 45 years 46 – 60 years 60 & above years Average Age	 31 (20.26%) 26 (17.00%) 27 (17.65%) 49 (32.03%) 18 (11.76%) 2 ( 1.30%) 27.24
2.	<b>Sex</b> Male Female	 91 (59.48%) 62 (40.52%)
3.	<b>Religion</b> Hindu Muslim	 77 (50.33%) 76 (49.67%)
4.	<b>Caste</b> SC/ST Minority	 77 (50.33%) 76 (49.67%)
5.	<b>Marital Status</b> Married Unmarried Widow/Widower	 76 (49.67%) 71 (46.41%) 6 ( 3.92%)
6.	<b>Educational Qualification</b> Illiterate Literate Upto Vth Junior High School High School & Above	 105 (68.62%) 5 ( 3.27%) 22 (14.38%) 14 ( 9.15%) 7 ( 4.58%)
7.	<b>Present Primary Occupation</b> Agriculture and Animal Husbandry Agriculture Labour Non-Agriculture Labour Business/Self-Employed Retired/Unable to work/Child/Student and Housewife	 32 (20.92%) 9 ( 5.88%) 64 (41.83%) 9 ( 5.88%) 39 (25.49%)
8.	<b>Income from Primary Occupation (Rs. p.m.)</b> Upto 500 501 – 800 801 – 1000 1000 & Above	 33 (28.95%) 36 (31.58%) 20 (17.54%) 25 (16.33%)
9.	<b>Present Secondary Occupation</b> Agriculture & Animal Husbandry Agriculture Labour Non-Agriculture Labour Business	 12 19 3 1
10.	<b>Income from Secondary Occupation (Rs. p.m.)</b> Income Groups (Rs. p.m.) : Upto 500 Above 500	 34 1

As far as their living condition are concerned we have tried to find out changes, if any, which have taken place other receiving the rehabilitation package as compared to what it was earlier. For details related to this issue please see Table 4.2. The table clearly reveals that a major change has taken place in the type of house they are living in presently as compared to earlier. Previously as many as 83 per cent of these respondents were living in kutcha houses. However, at present more than one-third have a pucca house and almost half of them are living in partly pucca houses. A marginal improvement is also found with respects to electrification of their residences. Earlier less than five percent houses were electrified but now the percentage has gone up to around 16 per cent. Similarly a larger proportion of houses now have access to drinking water (around 90 per cent) in comparison to before their rehabilitation (75 per cent approx). However, even today they are primarily living in houses without a toilet (Table 4.2).

Table 4.2: Living Conditions and Assets of Households

Sl. No.	Living Conditions and Assets of Households	Before Rehabilitation	After Rehabilitation
1.	<b>Type of House</b>		
	Kutcha	127 (83.00%)	22 (14.38%)
	Partly Pucca/Kutcha	24 (15.69%)	76 (49.67%)
	Pucca	2 (1.31%)	55 (35.95%)
2.	<b>Electricity</b>		
	Yes	7 ( 4.58%)	25 (16.34%)
	No	146 (95.42%)	128 (83.66%)
3.	<b>Drinking Water</b>		
	Yes	115 (75.16%)	138 (90.20%)
	No	38 (24.84%)	15 ( 9.80%)
4.	<b>Toilet</b>		
	Yes	2 ( 1.31%)	5 ( 3.27%)
	No	151 (98.69%)	148 (96.73%)
5.	<b>Watch</b>		
	Yes	19 (12.42%)	64 (41.83%)
	No	134 (87.58%)	89 (58.17%)
6.	<b>Radio/Transistor</b>		
	Yes	7 ( 4.58%)	26 (17.00%)
	No	146 (95.42%)	127 (83.00%)
7.	<b>Cycle</b>		
	Yes	38 (24.84%)	71 (46.41%)
	No	115 (75.16%)	82 (53.59%)
8.	<b>T.V.</b>		
	Yes	1 ( 0.65%)	12 ( 7.84%)
	No	152 (99.35%)	141 (92.16%)
9.	<b>Sewing Machine</b>		
	Yes	—	5 ( 3.27%)
	No	153 (100.00%)	148 (96.73%)

If we look at some of the common semi durable assets we find only some marginal difference with respect to ownership of these assets. However, a much larger number today own

a wristwatch and a bicycle as compared to earlier. In the case of assets such as radio/transistor, TV and Sewing Machines the increase is only minimal. On the whole we may say that some improvements are certainly visible in their living conditions.

The details related to the demographic structure of these households is given in table 4.3. The average household size of our respondents worked out to be 6.28. Taking all the family members together around 60.46 per cent were illiterate. However, what was a good size was that over 58 per cent of the children in the age group 6-14 years were going to school. In fact around one fourth falling in the age group 14-17 years were also studying. Out of a total population of 961 in all households taken together half of them were employed.

Table 4.3 : **Demographic Structure of the Households**

Family Members	Total Family Members	Education						Activity Status							
		Child Below 5 Years	Illiterate	Literate	Upto Class V	Junior High School	High School	Working	Student	Unemployed	Housewife	Old Age/ Retired	Household Work	Neither Working nor Studying	Child
Adult Male	280	—	178	22	35	29	16	272	3	1	—	4	—	—	—
Adult Female	257	—	241	11	3	2	—	161	—	3	89	4	—	—	—
Children															
Below 5 Years	101	101	—	—	—	—	—	—	—	—	—	—	—	—	101
6 – 11 years	166	—	73	27	66	—	—	—	89	—	—	—	—	77	—
11 – 14 years	70	—	27	6	27	10	—	7	49	—	—	—	—	14	—
14 – 17 years	87	—	62	3	5	15	2	44	20	5	—	—	18	—	—
Total	961	101	581	69	136	56	18	484	161	9	89	8	18	91	101
Average Family Size			6.28												

If we look at the occupational distribution and incomes of the household members who are employed, it is found that around 43 per cent are working as non-agricultural labourers. Added to them are another 27 per cent who are agricultural labourers. Thus wage earners within or outside agriculture account for around 70 per cent of our total workers. The only occupation of significance besides being wage earners, where they are engaged in agriculture and animal husbandry, which accounts for around 21 per cent of total workers. The rest are self-employed. From the point of view of monthly income the maximum workers (48.14 per cent) are concentrated in the income group of Rs.500-1000. The next important category is the lowest income group where are earning below Rs.500 per month and they constitute roughly 29 per cent of the total workers. The lowest income group constituting of those earning between Rs.1000-2000 per moth has around 23 per cent persons. Our workers are therefore found in all these three income categories and the average monthly earnings of all the households taken together works out to be Rs.2512 (please see Table 4.4.).



Table 4.4 : **Occupational Distribution and Income Pattern of Household Members**

Workers	Occupational Category						Monthly Income of Working Member(Rs.)			
	Agriculture & Animal Husbandry	Agriculture Labour	Non-Agriculture Labour	Self-Employment	Business	Service	Upto 500	500 – 1000	1000 – 2000	Average Monthly Household Income
Adult Male	22	59	156	7	26	2	29	142	101	
Adult Female	70	49	37	2	3	—	71	84	6	
<b>Children</b>										
(a) 11 – 14 Years	5	2	—	—	—	—	7	—	—	
(b) 14 – 17 Years	5	22	17	—	—	—	32	7	5	
<b>Total</b>	102 (21.07%)	132 (27.27%)	210 (43.39%)	9 (1.86%)	29 (5.99%)	2 (0.41%)	139 (28.72%)	233 (48.14%)	112 (23.14%)	2512

### **Background of Bonded Labourers and Factors Leading to Bondage**

It was essential to find out the background of these rehabilitated bonded labourers just prior to their being taken into bondage in terms of their age, what they were doing, details about their activity status, earnings of those who were working just before becoming bonded, factors which forced them to become bonded and other such related issues. Our questionnaire had a separate section with this aspect. The details are presented in Table 4.5. A very peculiar picture emerges regarding the age groups at the time when these labourers were forced into bondage. It is found that around 21.5 per cent were below 10 years of age and another 17 per cent were in the age group 11-15 years. Thus more than one third of them were not even in the working age group. They were actually those children who moved with their parents and therefore had to stay them. The remaining were all in the working age group. Consequently only around 69 per cent of them were employed. The maximum number among the employed persons (around 79 per cent) were non-agricultural labourers. Their monthly earnings were therefore rather low and worked out to Rs.677 for all the workers taken together. It has already been indicated that all of them were working as bonded labourers in brick kilns (Table 4.5).

The main factor which forced them to become bonded labourers was the fact that there was no regular work in their native place and so they migrated elsewhere in the hope of getting higher wages. In the brick kilns the labourers were either preparing raw bricks (61.44 per cent) or working on the soil for preparing raw bricks with it (10.46 per cent). Since a large number of them were children over one fourth of them (around 28 per cent) were not working but living with their parents. The mode of payment was through cash on a monthly basis. However, the actual payment which they received was much lower than their actual productivity and lower than the wages which they were supposed to have been paid (Rs.130 per 1000 bricks). One pattern which we have found common to

all over three selected districts is that fortunately the total duration of which the workers remained bonded was not much. Around 63 per cent of them were released within 6 months while the rest remained bonded for upto a maximum time of one year (Table 4.5).

Table 4.5: Background of Bonded Labourers

	Total Sample	153
1.	<b>Age at the time of becoming Bonded (Years)</b>	
	Below 15	33 (21.57%)
	10 – 15	26 (16.99%)
	15 – 25	40 (26.14%)
	25 – 30	11 ( 7.19%)
	30 – 40	21 (13.73%)
	Above 40	22 (14.38%)
2.	<b>Activity Before Becoming Bonded</b>	
	Child	31
	Student	12
	Household Work	1
	Housewife	4
	Agriculture & Allied Activities	4
	Agriculture Labour	18
	Non-Agriculture Labour	83
3.	<b>Monthly Earning of the Employed Respondents</b>	
	Below 250	5
	250 – 500	37
	Above 500	63
	Average Monthly Earnings (Rs.)	677
4.	<b>Place where you served as a Bonded Labour : Brick Kilns</b>	153
5.	<b>Circumstances forcing you to become Bonded:</b>	
	Debt	6 ( 3.92%)
	With Parents	46 (30.00%)
	No regular work in native place	65 (42.48%)
	In search of high wages	36 (23.53%)
6.	<b>Nature of Work done as bonded labour:</b>	
	Prepare raw bricks	94 (61.44%)
	Soil preparation for bricks	16 (10.46%)
	Not working	43 (28.10%)
7.	<b>Mode of Payment</b>	
	Monthly Cash	110
	Monthly @ Rs.130/- per 100 bricks	
8.	<b>Amount of Payment (Rs. p.m.)</b>	
	Below 250	7
	250 – 500	85
	Above 500	18
	Average monthly earnings (Rs.)	425
9.	<b>Was the Payment of Wages adjusted against the Debt:</b>	
	Yes	6
	No Loan was taken	147
10.	<b>Number of Years you had to remain bonded</b>	
	Upto 6 months	96 (62.75%)
	7 months to 1 year	57 (37.25%)

If we look into the details of the agency or individual who helped in the identification of the bonded labourers a strange co-incidence is observed between Muzaffarnagar and Bulandshahar. In Bulandshahar the entire sample was identified by social workers who are actually lawyers. In the case of Muzaffarnagar too almost 92 per cent of our respondents were identified by social workers who are mainly lawyers. Once again an element of doubt creeps in regarding the validity of the claim that the workers found in the brick kilns were bonded labourers. This is mainly so because these 'social workers' are in Muzaffarnagar where as bonded labourers have been released from other districts like Meerut and Ghaziabad. It is therefore essential to investigate as to how these lawyers sitting in Muzaffarnagar were informed about the existence of bonded labourers in the brick kilns of other districts. Out of our sample of 153 bonded labourers it is observed that they were mainly released in 2000 (around 59 per cent) the year 2001 (around 33 per cent). Out of the remaining persons a few were released in either 2002 or 2005. However, around three-fourth of them received their rehabilitation package in 2004 while the remaining one-fourth in 2005. Once again it is observed that the process of preparing the rehabilitation package and its distribution among the released bonded labourers is a time consuming one and the workers are put to considerable hardship because of the delays. Out of all the three districts in our sample the maximum number of recipients of subsistence allowance (Rs.1000/-) is found in Muzaffarnagar. Regarding payment of the subsidy amount there were 104 adults all of whom except one person received the full payment in one installment itself. However, as many as 49 (almost one third of the total respondents) were minors at the time when subsidy was being disbursed. In such cases the procedure adopted is that a fixed deposit for Rs.20,000 is made in their name and they are eligible to withdraw the amount on attaining the age of 18 years. As many as 75 per cent of them have reported have faced problem in getting the subsidy. The main problem was the excessive time that lapsed before the amount was disbursed. Some of the other aspects indicated are that a lot of money had to be spent in getting work done by way of travelling as well as the fact that a lot of paper work is involved which leads to unnecessary delays (For all these details please see Table 4.6).

Table 4.6 : Details Regarding Release of Bonded Labourers

Sl.No.	Total Sample		153
1.	Identifying Agency	Government Official	13 ( 8.50%)
		Social Worker	140 (91.50%)
2.	Month of Release	February	105
		March	2
		April	33
		May	13
3.	Released Year	2000	91 (59.48%)
		2001	49 (32.03%)
		2002	4 ( 2.61%)
		2005	9 ( 5.88%)
4.	Year of Rehabilitation	2004	115 (75.16%)
		2005	38 (24.84%)
5.	Month of Rehabilitation	March	57
		April	29
		August	54
		November	4
		December	9
6.	Year of Identification	2000	91
		2001	49
		2002	4
		2005	9
7.	Place of Rehabilitation	Town	2
		Village	151
8.	Place of your Choice	Yes	151
		No	2
9.	Problem Facing in new place	No Problem	153
10.	Received Subsistence Amount	Yes	13 ( 8.50%)
		No	140 (91.50%)
11.	Subsistence amount received (per Bonded Labourers)		1000
12.	Time taken between release and rehabilitation	7 to 12 months	9
		1 to 4 years	144
13.	Was training received	Yes	—
		No	153
14.	Month of receiving subsidy	March	57
		April	29
		August	54
		November	4
		December	9
15.	Year of receiving subsidy	2004	115
		2005	38
16.	How did you receive the amount	Full payment	103 (67.32%)
		In two installments	1 ( 0.65%)
		Fixed Deposit	49 (32.03%)
17.	Did you face any problem in receiving subsidy	Yes	115 (75.16%)
		No	38 (24.84%)
18.	If Yes, nature of problem (Multiple response)	More time	109 (94.78%)
		Expensive	4 ( 3.48%)
		Excessive paper work	2 ( 1.74%)

Having received the subsidy amount it was expected that the subsidy would be utilized for the purpose for which it was sanctioned and that they would benefit from the same by sustaining their means of income from this venture and thereby improve their overall socio-economic conditions. These aspects analysed with the help of Table 4.7 and Table 4.8.

Table 4.7 : Details Regarding Subsidy Paid to Bonded Labourers

Sl.No.	Details	Nos.
1.	<b>How was Subsidy Paid</b>	
	(i) Cash Payment	104
	(ii) Fixed Deposit	49
	Total Sample	153
2.	<b>Activity for which subsidy was provided</b>	
	Purchase of Buffaloes	70 (67.31%)
	Purchase of Goats	01( 0.96%)
	General Store	17(16.35%)
	Gas Welding/Repair of Cycles/Tractor Repair	08( 7.69%)
	Purchase Tonga	04 ( 3.85%)
	Dunlop Cart	02( 1.92%)
	Furniture Work/Handicraft	02( 1.92%)
	Fixed Deposit	49
3.	<b>Actual purpose for which money was utilized (Details of 104 persons)</b>	
	Animal Husbandry	47(45.19%)
	House Construction	20(19.23%)
	Daughter's marriage	10(9.61%)
	Repayment of Debt/loan	09(8.65%)
	Business/self employment	06(5.77%)
	Medical Expenses	05(4.81%)
	Miscellaneous Household Activities	05(4.81%)
	Purchase of Land	02(1.92%)
4.	<b>Was subsidy sufficient</b>	
	Yes	43(41.35%)
	No	61(58.65%)
5.	<b>Have you benefited from subsidy</b>	
	Yes	85(81.73%)
	No	19(18.27)
6.	<b>If yes, how</b>	
	Construction of Pucca House	17(20.00%)
	Higher Income	31(36.47%)
	Improvement in living condition	28(32.94%)
	Marriage/repayment of loan	09(10.59%)

NB: Figures in brackets are percentages to total.

It is evident from Table 4.7 that the subsidy amount had been demanded by a majority of people for purchasing buffaloes. The next important activity was starting a general store (16.35%). These two activities alone accounted for over 86 per cent of the total adult respondents. However, only 47 out of the 70 actually spent the amount for purchasing buffaloes and 06 individuals started their shop. All the remaining persons

have spent the amount on things such as house construction, marriages, repayment of loan and other unproductive activities. Out of those receiving cash subsidy many as nearly 59 per cent feel that the subsidy amount was insufficient. However, nearly 82 per cent have expressed the opinion that they have benefited with the rehabilitation package. This is seen by them in terms of higher incomes (around 36 per cent), in terms of improvement in their living conditions (almost one-third). The other aspects in which they have benefited are the ability to construct a pucca house and in getting their daughter's married and to repay old debts (Table 4.7).

If we look at Table 4.8, it is revealed that around 55 per cent of respondents who took the subsidy for a specified purpose have changed their occupation. Although the figure in the table indicates a higher number of persons saying that they have not changed their occupation it must be kept in mind that as many as 49 are children who did not get a cash subsidy but have received fixed deposit receipts. The reasons cited by them for change of occupation are low income from the activity, loss in the venture and because subsidy was spent on other activities. Only 13 of them have reported that either a government official or an NGO has visited them after disbursement of the subsidy. Their present monthly earnings are roughly Rs.900/- per month. Almost half the respondents report that there has been no change in their income after rehabilitation. However, these also include the 49 persons who are holding fixed deposits. Thus, if we think in terms of only 104 adults then the percentage of those indicating no change in income would drop down to around 26 per cent. Maximum numbers report that while incomes have gone up they have not even doubled while around 15 per cent feel that incomes have doubled or are even higher than double. Surprisingly, a small proportion in whose case their incomes have slightly decreased (Table 4.8).

Coming to various other benefits of rehabilitation nearly 90 per cent feel that now they can devote more time on their family members and another 64 per cent feel they are better placed to meet their medical expenses. However, only one-third are able to provide better education to their children. What is still to be achieved is improvement in their quality of life, in their social status, ability to afford better clothing or in obtaining credit if required. Consequently, around 57.5 per cent feel that there has been no change in their economic conditions (Table 4.8).

Table 4.8: Improvement in the conditions of Respondents after rehabilitation

	Change	Total Sample 153
1	<b>Have you changed your occupation after rehabilitation</b> Yes No	57 96
2	<b>If yes, reasons (Multiple response)</b> (i) Low Income/Losses/Death of Animals (ii) (iii) Subsidy partly spent on social ceremonies/medical services (iv) Subsidy spent on house construction	28 15 20
3	<b>Have government officials or NGO's visited you after rehabilitation</b> Yes No	13 140
4	<b>Did your old master pressurize you after your release?</b> Yes No	- 153
5	Present average monthly earning (Rs)	896
6	<b>Has income changed after rehabilitation</b> Less than double Double More than double Decrease No change	49 (32.03%) 14 ( 9.15%) 10 ( 6.54%) 4 ( 2.61%) 76 (49.67%)
7	<b>After rehabilitation has there been improvement in the following aspects</b>	
(a)	Giving more time to your family Yes No	146 (90.08%) 7 ( 9.92%)
(b)	Providing education to the children Yes No	51 (33.33%) 102 (66.67%)
(c)	Providing Medical facilities to the household members Yes No	98 (64.05%) 55 (39.95%)
(d)	Improvement in the quality of life Yes No	44 (28.76%) 109 (71.24%)
(e)	Improvement in social status Yes No	31 (20.26%) 122 (79.74%)
8	<b>After rehabilitation has your condition improve in the following aspects</b>	
(i)	Availability of clothes Improved No change	47 (30.72%) 106 (69.28%)
(ii)	Availability of foods Improved No change	93 (60.78%) 60 (39.22%)
(iii)	Availability of credit Improved No change	46 (30.07%) 107 (69.93%)
(iv)	Economic condition & level of living Improved No change	65 (42.48%) 88 (57.52%)



The views expressed by these rehabilitated labourers with regard to the scheme itself as many as 95 per cent have no knowledge about the legal action being taken against those who had kept them as bonded labourers. The remaining have information that no case has been registered against the offenders. However, around 59.5 per cent hold the view that as a result of the efforts taken by the government the problem of bonded labourers has been reduced (Please see Table 4.9).

Table 4.9: Perspective of the Bonded Labour

Details		Total Sample 153
1.	<b>Has the Govt. Registered case against your old master</b> No Do not know	- 7 ( 4.58%) 146 (95.42%)
2.	<b>Has the Govt. efforts reduced the problem of bonded labourers</b> Yes No Do not know	91 (59.48%) 4 ( 2.61%) 58 (37.91%)
3.	<b>Are you receiving other benefits under different programmes of the Govt.</b> Yes No	11 ( 7.19%) 142 (92.81%)
4.	<b>If Yes, What benefits? (Multiple Response)</b>	
(i)	Received house under Indira Awas Yojana	2
(ii)	Worked in road construction	3
(ii)	Worked as labour in JRY Scheme	6
5.	<b>If No, Why?</b>	
(i)	Lack of knowledge about programme	28 (19.72%)
(ii)	Pradhan refused to provide work	85 (59.86%)
(iii)	No timely payment of wages	3 ( 2.11%)
(iii)	Less work days	9 ( 6.34%)
(iv)	Being Child	17 (11.97%)
6.	<b>Suggestion in the scheme of Rehabilitation (Multiple Response)</b>	
(i)	Subsidy amount should be increased	74 (48.37%)
(ii)	No delay in getting subsidy after release	37 (24.18%)
(iii)	Land should be allotted	70 (45.75%)
(iv)	Indira Awas should be provided	58 (37.91%)
(v)	Training for self employment	30 (19.61%)
(vi)	Old age pension should be given	4 ( 2.61%)
(vii)	Loan should be provided in low interest	7 ( 4.57%)
(viii)	Subsistence amount should be provided at the time released	28 (18.30%)
(ix)	Govt. service should be given	21 (13.72%)
(x)	Employment on government scheme	14 ( 9.15%)
(xi)	BPL card should be given	5 ( 3.27%)

Only around 7 per cent are availing the benefit, which are being offered under the other schemes of the government. These benefits are working in JRY scheme and getting houses under the Indira Awas Yojana. Among those not availing the scheme, the maximum (almost 59 per cent) have

reported that they did not receive the support from the Pradhan while almost 20 per cent are not aware of these schemes. These two responses alone account for almost 80 per cent of our total respondents (Table 4.9).

We received multiple responses when we asked them to give suggestions for improving the scheme of rehabilitation. Top priority has been accorded by around 48 per cent respondents is on the desirability and need to increase the subsidy amount and is closely followed by the suggestion that to these rehabilitated labourers there should be provision for allotment of land. Another aspect is the provision of houses under the Indira Awas Yojana. Surprisingly the timely payment ranks fourth despite the fact that many have expressed that the process is extremely time consuming and one has to wait even upto 4 years before subsidy is released. Other suggestions are not so important in the rankings as can be clearly seen in Table 4.9.

The facts, which emerge from our survey of rehabilitated, bonded labourers of Muzaffarnagar reveals that around 20 per cent were children in the list of persons who were taken into bonded. In brick kilns the general pattern is that both husband and wife work together and so their children automatically accompany their parents. Consequently the average age of all persons at present is only 27 years which is much less as compared to the average age as was the case in Badaun and Bulandshahar. However, in the case of Muzaffarnagar almost half the respondents were Muslim. In the other two districts those rehabilitated were all Hindus and belonged to Scheduled Caste. Illiteracy was high since over two-thirds are illiterates. As far as their present occupation is concerned, around 42 per cent are working as daily wage earners in the non-agricultural sector and around 21 per cent have agriculture or animal husbandry as their primary occupation. Very few have any secondary occupation. They have a family size of 6.28 on an average. These persons realize the importance of education since around 58 per cent of their children in the 6-14 years age group are being sent to school. The overall average household income of this group works out to Rs.2512 per month. If we take into account the pre and post-rehabilitation conditions of these individuals a much larger proportion are now living in pucca houses and some improvements are also seen by way of availability of electricity and drinking water. In terms of some consumer durables some more persons now possess a wristwatch and cycles as well.

Prior to being bonded, those who were working were mainly non-agricultural labourers and their monthly earnings on an average worked out to be Rs.677/- per person. They became bonded because their earnings were low and they had migrated outside the district in search of better employment opportunities. The brick kiln owners lured them to work by promising wages at the rate of Rs.130 per 1000 bricks and even on conservative estimates of preparing 400 bricks per day should have helped them earn around Rs.1500 per month. However, their average earnings were as low as Rs.425.

Nobody remained as bonded labour for a period of over one year. But it took a very long time for them to receive their rehabilitation package. Only very few received the subsistence money. The amount was received in cash and in one installment itself in the case of adults but those who were below 18 were given a fixed deposit receipt of Rs.20000/- each.

It was unfortunate that only around half of the respondents utilized the money by starting the activity for which subsidy had been provided for them in cash. The others spent the money on non-productive expenditure such as house construction, marriage, medical services, etc. Consequently their average earnings even presently are barely Rs.900 per month. As a result not much change has taken place in their socio-economic conditions. They feel that if the rehabilitation scheme is to be made more efficient then the amount of subsidy needs to be enhanced. They also want that they should be provided houses under the Indira Awas Yojana and that land should be allotted to them.

The labour department needs to look into some aspects if they want better utilization of the subsidy. First of all doubts are raised about the very authenticity of their being bonded in the first place. Secondly, the issue of being treated a child, who is below say 13 years old, as bonded needs to be looked into. In the case of Muzaffarnagar we have as many as 49 such cases. It is a fact that they were living with their parents in the brick kilns but they were incapable of working. Thus, the rationale of treating them as bonded needs to be reviewed.

Keeping in mind the misutilization of subsidy amount for unproductive purposes there is an urgent need to ensure that the packages are first scrutinized properly. For instance if you give a person subsidy for purchase of buffaloes it is essential that he/she should have sufficient space to keep them and also sustain their daily diets. Similarly in Muzaffarnagar 4 persons received money to purchase a Tonga. Was the economic viability of this venture really looked into. Above all these things it is probably equally important to have follow up measures to ensure that people are starting ventures in accordance with their request and are not finding any problems in sustaining them.

### **Perceptions of Influential Persons on the Problem of Bonded Labourers and their Rehabilitation**

In order to obtain the views with respect to the problem of bonded labourers as well as the scheme for their rehabilitation we sought the views of ten influential persons besides the bonded labourers themselves. These ten individuals were selected from among government officials, members of the Vigilance Committee, Politicians, NGO or social workers, etc. We enquired from them about the time duration since they have been associated with this problem, the various ways through which they obtain information regarding presence of bonded labourers, the difficulties in their release and rehabilitation and their perceptions about the rehabilitation scheme.

Our sample of ten influential persons comprised of four government officials, two politicians, persons running an NGO and one who was member of the Vigilance Committee. They had been associated with this problem for periods ranging from 1 to 10 years. The most important sources of getting information about bonded labourers was personal contact, information from relatives or other villagers (please see Table 4.10).

Table 4.10: Status and Details of Association of Influential Persons with Rehabilitation Scheme

Sl.No.	Details	Number
1.	<b>Status of Influential Person:</b>	
	Government Official	4
	Politician	2
	Member, Vigilance Committee	1
	NGO	1
	Social Worker/Activist	1
	Educationist	1
	Total Sample	10
2.	<b>Years of Association:</b>	
	01 – 05 years	3
	05 – 10 years	3
	Above 10 years	4
3.	<b>Source through which information of bonded labourers is received:</b>	
	Personal contact	4
	Complaint from relatives/villagers	4
	Information from NGO	1
	Complaint from Government Officials	1
4.	<b>Procedure adopted to release bonded labourers:</b>	
	Personal effort	4
	With the help of SDM after verification	5
	Do not know	1
5.	<b>Problems faced in release of Bonded Labourers (Multiple response):</b>	
	No problem, if properly identified	6
	Offenders are influential persons	3
	Bonded labour himself reluctant to accept that he is bonded	2
6.	<b>Time Taken in release of Bonded Labourers:</b>	
	Less than 1 month	5
	1 – 3 months	5
7.	<b>Can time duration be reduced:</b>	
	Yes	3
	No	7
	<b>If Yes, How?</b>	
	Quick action by Government officials	3
8.	<b>Provision made for bonded labourers immediately after their release:</b>	
	Sent directly to their native place	7
	Provision of giving subsistence allowance	2
	Do not know	1

Regarding the method adopted for the release of bonded labourers, half of our influential persons have pointed out that it is done with the help of the SDM once it has been verified and found that in a brick kiln or other place bonded labourers are being kept. Another four have stated that they get them released through personal contact. A majority of them are of the opinion that no problem is generally faced in their release once they have been identified and proper procedure is followed for their release. However, the problems, which do come up some time, as indicated by the rest, arise because the offenders are influential persons or when the labourer himself is reluctant to admit that he is bonded. The time taken for their release after identification is within one month as indicated by half the influential persons or at the most upto 3 months as reported by the remaining individuals. They are mainly of the opinion that this time duration can not be reduced any further. Despite the fact that these influential persons have been associated with problem of bonded labourers, only two of them are aware of the provision of giving them a subsistence allowance of Rs.1000 at the time when they are being sent to their native place after being released (Table 4.10).

Coming to the views and perceptions of the influential persons about the rehabilitation programme the most important problem, which is highlighted is the undue delays which cause the labourers to receive the subsidy amount after a lapse of upto 4 years. The other problem towards which attention is drawn is the fact that since these persons are generally illiterate and untrained they are unable to make optimal use of the subsidy which is provided. This results in loss from the venture and the ultimate closing down of the venture. However, four influential persons have expressed their view that there is no problem in the process of rehabilitation. The details regarding the views of influential persons are provided in Table 4.11.

As many as 9 of our influential persons feel that the subsidy amount is insufficient and it should be between Rs.25,000 – Rs.50,000. Only half of them feel that the packages offered to labourers are economically sound and viable. This goes to show that greater care needs to be taken before a package is sanctioned keeping in mind the fact that the rehabilitation programme aims to provide sustained means of livelihood to the labourers. A majority of them also feel that there is a need to first provide training to these labourers before they are given subsidy so that they too are made capable to sustain the activity, which they want to start. Despite the fact that the government has passed an Act for the abolition of bonded labourers, the influential persons feel that the problem has not been eliminated fully and that even today bonded labourers are found. However, it has been checked to the considerable extent and the number of bonded labourers today is negligible (Table 4.11).

Table 4.11: Perception of Influential Persons about Rehabilitation of Bonded Labourers

Sl.No.	Details	Number
1.	<b>What are the problems faced by bonded labourers in their rehabilitation:</b> Labourers unable to manage with subsidy as they are untrained Delay in receiving subsidy No Problem	2 4 4
2.	<b>Procedure for providing subsidy:</b> Do not know Payment through Cheque by the DM	2 8
3.	<b>Is the Subsidy sufficient?</b> Yes No	1 9
4.	<b>If No, what should it be?</b> Rs.25,000 – Rs.50,000	9
5.	<b>Is the rehabilitation package approved by the District Screening Committee Economically sound and viable?</b> Yes No Do not know	5 4 1
6.	<b>Do you feel that training is required?</b> Yes No Do not know	6 2 2
7.	<b>Do you feel that even now there are bonded labourers in your area?</b> Few Negligible	2 8
8.	<b>Is there any case of relapse in your knowledge?</b> Yes No	1 9

The influential persons were also requested to give their suggestions for bringing about improvement in the scheme of rehabilitation. These aspects are tabulated in Table 4.12. Only three of our influential persons informed that some action has been initiated against those identified for keeping bonded labourers. While 6 informed that no such action is being taken. This indicates that there are some loopholes in the system because of which no action is taken against the offenders. Even when action is taken there is no fixed time in which the cases are cleared and judgement is pronounced. While as many as 7 of our influential persons were unaware of the nature of punishment which can be handed out, two have indicated that a fine is imposed if found guilty while the tenth respondents has stated that there is no law is followed strictly and it depends on the judge to decide the nature of punishment (Table 4.12).

A number of suggestions have been offered by them for making the scheme of rehabilitation more efficient and effective and we have multiple responses. The suggestion given by most number of persons is that payment should be made in kind and not cash. Equally important is that besides the rehabilitation package these rehabilitated labourers should be

provided the benefits of other governmental schemes such as Indira Awas Yojana. Keeping in view the fact that even today there is a tendency to keep bonded labourers proper awareness campaigns should be conducted to appraise the people of their rights and a constant vigil should be carried out. Equally important is to provide proper training before giving subsidy as well as take follow up measures once subsidy is given. The other aspects, which also need to be looked into, are reduction in the time spent between release from bondage and release of rehabilitation package (Table 4.12).

Table 4.12: Perception Regarding Action against Offenders and Suggestions

Sl.No.	Details	Number
1.	Is proper action being taken against offenders?	
	Yes	4
	No	4
	Do not know	2
2.	Time-frame within which cases are cleared:	
	No fixed time	8
	Do not know	2
3.	Nature of Punishment	
	No strict law	6
	Fine	2
	Do not know	2
4.	What measures are desirable to improve the scheme of rehabilitation (Multiple response)?	
	Payment in kind not cash	5
	Benefit in government schemes, e.g. Indira Awas Yojana	5
	Proper evaluation and awareness campaign	3
	Proper training and sufficient subsidy	3
	Proper follow up action	3
	Rehabilitation package should be provided quickly	2

While summing up the views given by our influential persons it may be pointed out that most of them have been associated with the problem of bonded labour for some time now. However, what is revealed is that they do not seem to be well versed about the various provisions. For example some have indicated their ignorance regarding the steps which are taken for releasing bonded labourers while some do not have any knowledge about the subsistence allowance, which a released bonded labourer should receive before returning to his native place. Some are unaware of the various procedures, which are followed by the Labour Department in preparing the rehabilitation packages. Thus, it is very necessary that these individuals also need to be appraised of the various provisions. In fact if the vigilance committee meets more regularly, it can be asked to educate all others who are also associated in trying to root out the problem of bonded labourers.



However, the number of those not having adequate knowledge is not much. Those who are aware feel that too much time is wasted in the process of preparing the rehabilitation package and disbursing subsidy. They also feel that there is an urgent need to train the individuals before providing them subsidy and also to be doubly sure that the package are economically viable and can be handled comfortably by people who are by and large illiterate. Most even feel that subsidy amount needs to be raised suitably and that payment should be in kind only and not in cash. Finally they feel that the scheme can be successful only if the government also has provision for taking follow up measures once the subsidy is disbursed and for this special budget should be provided to the concerned offices.

## CHAPTER V

### CONCLUSION AND POLICY RECOMMENDATIONS

#### The Problem

The problem of bonded labourers is a social phenomenon as has been a part of our society from early times. In fact even during the Vedic Period there are evidences indicating the presence of bonded labourers. In the modern era bonded labourers continued to exist as a result of debt-bondage. The poor were forced to borrow money from the landlord or moneylender and were unable to repay their debt. This resulted in the creditor taking the individual under his bondage. The individual remained in debt for long periods of time because not only was he unable to pay the principal amount but he was not even in a position to pay the high rate of interest which the creditor charged.

In 1976 the Parliament promulgated the Bonded Labour System (Abolition) Act with the objective of preventing economic and physical exploitation of the weaker and underprivileged sections of the society. The Act lays down provisions for the release of the bonded labourers and also offers them rehabilitation packages on the basis of the preferences indicated by them so that they can start an activity of their own and sustain their households.

#### Objectives of the Study

The scheme of rehabilitation of bonded labourers had been implemented in the districts of Badaun, Bulandshahar and Muzaffarnagar by the Labour Commissioner, Uttar Pradesh and it wanted to conduct a study in order to evaluate the scheme and find out the extent to which it has been effective in releasing the bonded labourers belonging to the districts mentioned above and find out whether the rehabilitation package offered to them has been beneficial in their ability to earn sufficiently to sustain themselves and their family on a sustained basis.

The Giri Institute of Development Studies, Lucknow, therefore, undertook the task of evaluation with the following objectives in mind:

- (i) To find out the factors which forced the individuals into becoming bonded;
- (ii) To find out the duration for which they remained as bonded labourers;
- (iii) To find out how they were identified and the time period which lapsed before they were set free;
- (iv) To find out whether they are still under some sort of pressure from their creditors;

- (v) To analyze whether their socio-economic conditions have improved after rehabilitation; and,
- (vi) To find out whether they faced any problem in the process of rehabilitation and offer suitable suggestions in the light of the feedback for streamlining the process from identification and release upto rehabilitation.

### **Methodology and Sample Size**

It was a field-based study covering the districts of Badaun, Bulandshahar and Muzaffarnagar. The list of bonded labourers was provided by the office of the Labour Commissioner, U.P. (Kanpur). We were asked to verify the list from the offices of the Assistant Labour Commissioner. The entire sample had to be covered.

In order to conduct a field survey, two sets of scheduled were developed. The first schedule was designed to collect information from rehabilitated bonded labourers about various aspects starting from their condition prior to becoming bonded, to reasons for becoming bonded and their post-rehabilitation condition.

The second schedule was framed to obtain the views of some influential persons of our selected districts such as members of the Vigilance Committee, Government official, NGO and politicians, etc. regarding the incidence of bonded labourers in their area, the scheme of rehabilitation and to seek their views regarding how the scheme can be made more effective. The sample size is given in Table 5.1. It is evident from the table that we were able to cover approximately 83 per cent of the total rehabilitated labourers from the 3 districts taken together.

Table 5.1: **Actual Number of Rehabilitated Persons and Sample Covered**

Sl. No.	District	Actual Sample	Sample Covered	Labourers who could not be contacted	% Covered
1.	Badaun	57	50	7	87.72
2.	Bulandshahar	39	32	7	82.05
3.	Muzaffarnagar	188	153	35	81.38
	Total	284	235	49	82.75

### **Main Findings Emerging from Survey of Rehabilitated Bonded Labourers**

#### **1. The Rehabilitated Bonded Labourers**

We will take up our findings related to rehabilitated bonded labourers separately for each district.

(A) Badaun

- There were a total of 57 bonded labourers who had been rehabilitated and during our field survey we could cover a total of 50 persons, which works out to almost 88 per cent of our total sample. Those who could not be contacted were because all of them had migrated elsewhere.
- The average age of our respondents worked out to be approximately 41 years. Two-thirds were male while the rest were females. Every one of them belonged to Scheduled Caste and almost all of them were illiterates. However, it was a positive sign that almost 93 per cent of the children in the school going age group were enrolled.
- A very high percentage (70 per cent) of these labourers are working as non-agricultural labourers even today and their average household incomes work out to barely Rs.1600 per month.
- If we look at their living conditions at present as compared to before rehabilitation the most striking feature is that earlier as many as 49 lived in kutcha houses whereas that number has come down to 18 at present. The rest either have a pucca house or are living in partly pucca houses. Similarly, a large number of them are having facilities of drinking water. However, they are still living in non-electrified houses and without toilet facilities.
- With respect to possessing some common consumer durables such as watch, cycle, radio and transistor, and TV sets only some marginal improvements have taken place.
- Even at the time of becoming bonded the primary occupation of the majority of them was working as non-agricultural labourers and their average monthly earnings were only around Rs.940 per month.
- It was their low wages, which primarily forced them to become bonded as they moved to another district in search of better job opportunities. They got lured into working in brick kilns in the hope of earning wages at the rate of Rs.128 per 1000 bricks made. However, they were paid much lower and their average earnings per month were below Rs.500 while they were bonded.
- All of them worked in brick kilns but none of them remained bonded for more than one year as they were identified by government officials.
- All of them were released in 2000 and they were rehabilitated in 2004. Thus, it took considerable time before the rehabilitation package was handed over to each individual. Every one received subsidy fully in cash.
- While there is a provision for it not even one labourer was paid Rs.1000/- towards subsistence allowance at the time when he was being sent home soon after his release.

- What is disturbing to note is that the money received towards their rehabilitation was used by only a rather small proportion of the labourers for the purpose for which it was demanded by them. Some of them actually spent the amount on items such as marriage of their daughters', medical and health and repayment of debt. This explains why even today such a high proportion continues to serve as non-agricultural labourers.
- A majority of them feel that they have benefited as a result of the rehabilitation package. The reason being that they are now earning on an average Rs.1150/- per month which is more than twice what they were earning as bonded labourers.
- As a result of their higher earnings and the freedom after rehabilitation they now are in a position to give more time to their family, can afford education for their children and provide better medical facilities to the members of their household. However, they still feel that not much improvement can be felt by them in terms of changes in their social status.
- None of these rehabilitated labourers are in the knowledge of whether or not any action has been taken against those who had held them in bondage. This is so because they were all released from Gautam Budh Nagar district.
- Around half of them feel that the problem of bonded labourers has definitely been reduced as a result of the efforts of the government.
- Among the suggestions offered by them for improving the rehabilitation scheme the most important aspect towards which they have drawn attention is that the subsidy amount is not sufficient for starting any venture and to sustain it over a period of time.
- The second problem which they feel should be addressed is to ensure that the time gap between release and disbursement of the rehabilitation package needs to be cut down substantially. In the present situation it becomes rather difficult for them to sustain themselves on their own since not all of them are even successful in obtaining jobs under the various developmental programmes of the government such as JRY, etc.
- Many feel that they should be properly trained before they begin their venture.
- Some have suggested that they should be provided houses under the Indira Awas Yojana and also that land should be allotted to them.

**(B) Bulandshahar**

- There were a total of 39 bonded labourers in the district and we were able to interview 32 persons. In this way the coverage worked out to approximately 82 per cent. One of those who we failed to contact has expired while the rest have migrated to the neighbouring states of Delhi and Haryana.

- Almost 63 per cent of our respondents were found in the age group 26-45 years. Consequently their average age worked out to 40 years. Once again all were Scheduled Castes. The proportion of illiterates was as high as 84 per cent. What makes the picture even more disturbing is that barely 14 per cent of the household members in the age category 6-17 years are students.
- Around 25 per cent are presently disabled or too old to work. The primary occupations of around three-fourths of those who are actually working too are non-agricultural workers. Their average household earnings at present are around Rs.1800 per month.
- If we look at their residences and facilities in them it is found that at present around 47 per cent are living in pucca houses while over 84 per cent used to reside in kutchha houses prior to their rehabilitation. Even earlier over 93 per cent had electrical connections and drinking water facilities in their houses. However, they are still living without a toilet within their residence.
- Even with respect to consumer durables hardly any noteworthy change can be seen in their condition if we compare the pre and post rehabilitation scenario with respect to their ownership of a wristwatch, cycle, radio/transistor or a TV set.
- Even at the time of just before they started serving as bonded labourers almost all of them were earning daily wages as non-agricultural workers and their average monthly earning were barely around Rs.700/- per month.
- Lack of job opportunities within their native place and low wages were the factors, which made them take the decision to migrate to another district. The places to which they migrated were Meerut, Gautam Budh Nagar and Haryana.
- All of them became bonded labourers in brick kilns, which had offered them wages at the rate of Rs.130/- per 1000 bricks. An individual can easily make 400-500 bricks per day. Thus, under normal circumstances they should have earned at least around Rs.1200 per month. Unfortunately what they actually received was half of what they ought to have got since their average monthly income were barely around Rs.600 per month.
- It was fortunate that their tenure as bonded labourers did not exceed one year. They were all identified by social workers who are mainly lawyers. Thus, there are doubts over the legitimacy of their being bonded labourers. Although there were concrete evidences to prove so, but it is felt that there was a nexus between the workers and lawyers to obtain the rehabilitation package and that the lawyers took their cut from the subsidy which they received.

- All of them were released in the year 2000. While 29 of them had to wait for four years before receiving their rehabilitation package the other 3 had to wait for yet another year. Consequently they had to face lots of problems in getting their subsidy cleared in terms of running around the concerned offices. This consumed not only time but also involved cost of transportation.
- Only 4 out of our total number of respondents were fortunate to receive their sustenance allowance. These were the four persons to be released from Haryana.
- Every single person had indicated that he/she will utilize the subsidy to purchase buffaloes or start a poultry farm. However, only 11 actually started the activity. The primary reason pointed out was that subsidy was insufficient for starting the venture.
- As a result of money not being utilized for the specified use it was squandered away on unproductive expenses such as marriage, house construction, repayment of debts and on medical services.
- In the case of Bulandshahar since a large number feel that the subsidy given is inadequate more than four-fifths of them feel that they have not really benefited as a result of the subsidy provided to them.
- Since they are still mainly non-agricultural labourers their present monthly earnings continue to be low and on an average work out to below Rs.800 per month. However, this figure is still better than what they were earning as bonded labourers.
- If we look at whether they feel that there have been improvements in their condition in the post-rehabilitation period the one area where there has been a distinct improvement is that they are now able to give more time to their family members. The other areas where improvement can be seen is that ability to spend more on food and medical expenses as compared to earlier period. However, not much has changed if we look at their ability to provide better education to their children. This is adequately reflected in the negligible number of children who are enrolled in school. Similarly they are not in a position even now to afford better clothing. On the whole, therefore, it is felt by them that neither their overall levels of living has improved nor has their social status because they continue to earn such low incomes.
- It was understandable that since they were released from other districts they are totally unaware of any legal action that might have been instituted against those who had held them as bonded labourers. However, around 62 per cent feel positively towards the efforts of the government at trying to eliminate the menace of bonded labourers in the state.



- Around 41 per cent of our rehabilitated bonded labourers have participated in the different developmental programmes which are being run by the government and benefited from them by way of getting a house under the Indira Awas Yojana or receiving employment under the Jawahar Rozgar Yojana.
- As far as their views with respect to bringing about improvements in the rehabilitation scheme is concerned, almost all of them feel that the time has come to raise the subsidy amount keeping in view that it is becoming increasingly difficult to start and sustain any venture with Rs.20,000/-. Moreover there should not be unnecessary delays in the clearance of the rehabilitation package. Waiting for around four years is extremely taxing as most of them have nothing else to fall back upon. Consequently they end up as non-agricultural labourers.
- The other areas where they feel that government can help them is to make provision for providing houses to them under the Indira Awas Scheme. A number of people spent had their subsidy on house construction rather than on the venture for which subsidy was provided.
- Training is another aspect towards which the rehabilitated labourers feel needs the attention of the government. They feel that they will be much more successful in sustaining their venture if they are properly trained. In the absence of such a training they tend to close their venture once they start earning less or make a loss.

**(C) Muzaffarnagar**

- The total sample which we had to survey in this district was very large as compared to the remaining two districts, which have already been discussed. The list had a total of 188 persons who had been rehabilitated. However, despite our maximum efforts we were able to survey 153, which works out to around 81 per cent of the total sample. Three out of those who could not be contacted had expired while one was serving a sentence in jail. Some girls had got married and left the village while 14 had migrated to other districts of the state and some neighbouring states like Delhi, Punjab and Haryana.
- The overall average age of the sample covered by us worked out to around 27 years. This was so because even at the time of our survey around 37 per cent of our respondents were in the age group of below 20 years. Males accounted for roughly 60 per cent of the entire sample covered by us. This was the only district where the sample was almost evenly split between people belonging to Scheduled Caste and Muslim community.

- Despite the fact that the literacy level among the respondents was low with over two-thirds being illiterate around 60 per cent of their children in the age group 6-14 years were going to school.
- Slightly less one-fourth of the respondents had agriculture and animal husbandry as their primary occupation. Around 6 per cent were self-employed as well. Consequently the percentage of those who were working on a daily wage basis in non-agricultural activities was around 42 per cent only, which was much less as compared to the remaining two districts. As a result of this difference the average household income in Muzaffarnagar is presently Rs.2500 per month taking all the households together.
- Prior to rehabilitation 83 per cent were living in kutcha houses, but now the percentage has declined to below 15 since almost 36 have a pucca residence. Some improvement is also found in electrification since a lower number have been able to afford an electric connection as well. Similarly almost 90 per cent now have access to drinking water while only around three-fourths enjoyed this facility earlier. However, only a negligible number have toilets.
- There has also been some improvement in terms of their ownership of some very common consumer durables, such as a wristwatch, cycle, radio/transistor and a TV set, if we compare it with the situation prior to them being rehabilitated.
- A feature unique to the rehabilitated bonded labourers of Muzaffarnagar is that at the time of bondage around 22 per cent were below 5 years of age and another 17 per cent between 10-15 years old. Thus, nearly 40 per cent of them were not even in the working age group and have been treated as bonded purely because their parents were bonded.
- Just before becoming bonded around 79 per cent of those who were employed were non-agricultural labourers with an average monthly income of around Rs.680/- only.
- As has already been indicated a large number became bonded simply because they were along with their parents. As high as 30 per cent were in debt and so had find some ways to earn higher income and repay the debt. The rest moved out of their district in the hope of getting better wages along with the indebted persons.
- They moved to places like Meerut, Ghaziabad and Ferozabad seeking better job opportunities and all of them ended up working in different brick kilns of these districts.
- Despite the promise of giving wages at the rate of Rs.130/- per 1000 bricks they were being forced to work for extremely low wages. In fact their average monthly earnings per person worked out to barely Rs.425/-, which is lower than the other two districts where our survey was also conducted.

- These bonded labourers were mainly identified by social workers (in around 91 per cent cases). As was the case in Bulandshahar here these social workers are lawyers as well. The rest were identified by government officials.
- The year of release of these individuals varies from the year 2000 to 2005 although the cases released in 2000 (around 59 per cent) and 2001 (around 32 per cent) together account for over 91 per cent of the total sample.
- Around three-fourths of them were rehabilitated in 2004 while the rest in 2005. Less than 10 per cent received the subsistence allowance.
- In Muzaffarnagar all those who were below the age of 18 at the time of release were not paid subsidy in cash but a fixed deposit in their name was made for Rs.20,000/- and this they can cash on attaining the age of 18 years. We, therefore, have as many as 49 such cases.
- Out of the remaining cases who were adults the rehabilitation package was for activities such as a general store, gas welding, tractor repair, purchase of Tonga or Dunlop cart, etc. However, only seven persons utilized the amount for the purpose for which it had been taken. Out of the rest slightly less than half purchased buffaloes and they were the only ones to think of investing in a productive venture although it was different than the activity for which the subsidy had been provided. The rest spent the amount on house construction, marriage and other non-productive activities. What is good to note that as large number are still engaged in the activity, which they had initially started.
- A majority of them (around 59 per cent) feel that the subsidy amount is insufficient.
- Over four-fifth are still satisfied with the subsidy received because it has resulted in higher incomes, relatively better living conditions and that they have been able to construct a pucca house.
- Because of higher income they are able to afford to spend higher amount on food and on medical and health. But not much change has been brought about in their social status or even their economic condition.
- While over 95 per cent are not aware of any action which might have been taken against those who had kept them as bonded labourers, they certainly hold the view as expressed by around 60 per cent respondents that ever since the government has introduced the Act to abolish bonded labourers a substantial improvement has taken place leading to considerable reduction in this malpractice.

- In Muzaffarnagar the proportion of those availing the benefit of different development schemes of the government is negligible. While some are unaware of these schemes, the maximum number was of those who were denied this opportunity by the Pradhan.
- Some of the important suggestions given by them to improve the scheme of rehabilitation include raising the subsidy, provision of training prior to rehabilitation, reduction in the time for disbursement of subsidy, provision of houses under Indira Awas Yojana and distribution of land.

If we sum up our findings the following common points emerge in all the three surveyed districts.

- Low levels of income at the native place are the primary cause for these workers becoming bonded.
- The entire lot covering the 3 districts covered were found working in brick kilns outside the district to which they belong.
- Their earnings as bonded labourers were extremely low.
- All of them remained as bonded labourers for a maximum period of one year.
- Only a negligible number received subsistence allowance.
- It took around 4 years before they received the rehabilitation package.
- Only very few utilized the subsidy on starting the venture for which it was initially given. A majority utilized it on unproductive expenditure such as marriage, house construction, medical and health and debt repayment.
- Since they did not pursue the activity a large number of them are non-agricultural workers even today as they used to be prior to becoming bonded.
- Although their incomes are higher now as compared to what they were while they were bonded no major change is found in their social status or economic conditions.

## 2. The Influential Persons

In the case of the rehabilitated bonded labourers there were various aspects, which needed to be described separately. However, in the case of the influential persons who were interviewed by us the findings are almost similar and so we will highlight them together rather than on a district-wise basis.

- In all our districts the sample was drawn from among those who were members of the Vigilance Committee, Government Officials, NGOs, Educationists, Social Workers/ Activists and political figures.
- A total of 10 such persons were selected from these categories.

- It was found that our influential persons had been associated with the problem of bonded labourers for periods ranging from a couple of years to above 10 years.
- According to them the various sources through which they receive information about existence of bonded labourers is through personal contact, complaint from relative/ villages, through an NGO or even from official sources.
- The official procedure for release of bonded labourers is by conducting a raid with the help of the SDM and the local police station. While most have mentioned the procedure there are some who are not aware of this provision.
- Similarly many are not even aware of the provision of payment of Rs.1000 to each released bonded labourers as subsistence allowance when he is being sent to his native place.
- There is a need to make even these influential persons aware of the various provisions under the rehabilitation scheme starting from identification to release and upto rehabilitation.
- While some feel that no problem is faced in the release of bonded labourers others feel that problems emerge on account of the fact that the persons who keep bonded labourers are influential. people and conducting raids on their premises is at times difficult. Moreover, there are also times when the labourers himself refuses to accept that he is serving as a bonded labourer.
- A majority of the influential persons hold the view that the subsidy amount is insufficient keeping in mind the cost of living and should be increased. Their options vary about the amount, which it should be but the range is between Rs.25,000 – Rs.50,000.
- Most of them feel that the packages provided are economically viable but they also express the view that all rehabilitated labourers need to be properly trained before subsidy amount is handed over to them.
- Besides the training many have also argued that there is an urgent need to ensure that the labour department takes follow up measures in order to see to it that subsidy is utilized for a productive purpose and not spent on marriages, etc. and also to provide assistance to them in overcoming the problems faced in running the venture so that they can sustain the activity. In fact, they feel that the government should make provision for a special budget of the labour department to meet the funds necessary for conducting the follow up measures.

- A majority of them are of the opinion that the efforts of the government has made a big dent on the tendency of some people to keep bonded labourers and that presently only a negligible of workers could still be found in bondage.
- They are not aware regarding any legal action being taken against the offenders.
- As far as their suggestions for making the rehabilitation scheme better is concerned they feel that to avoid misuse of the subsidy payment should be made in kind, that they should be given residences under the Indira Awas Yojana, that there is an urgent need to reduce the time gap between release of a bonded labourers and payment of subsidy.

### **Suggestions**

- (i) The authorities must be absolutely certain as to whether a person is actually serving as bonded labourer or there is a nexus between the so-called 'bonded' labourer and the social worker/activist (lawyers as in the cases of Bulandshahar and Muzaffarnagar) in order to obtain the benefit under the rehabilitation package.
- (ii) While some have been rehabilitated there are others who were also released as early as in 2000 but have yet to receive their subsidy.
- (iii) The payment of subsistence allowance must be ensured in each and every case. The District Magistrate should have special provision for the release of Rs.1000 per individual as soon as he is being sent to his native place.
- (iv) The unnecessary delay in finalizing the rehabilitation package and disbursement of subsidy needs to be cut down to a maximum of one year. The Labour Commissioner's Office, Kanpur must be provided with monthly reports of the progress taking place in the rehabilitation from the date of release of the bonded labourers so that the whole scheme can be monitored by the Head Office.
- (v) The fact that many individuals have not taken up the activity in accordance with their package is on account of the fact that they have not been given proper training. Moreover, even the economic viability of a scheme does not seem to have been viewed properly. It is not sufficient that a particular scheme is viable. What is equally important is that the person who is to run the scheme should have the aptitude to run it efficiently and on a sustained basis.
- (vi) It is observed that a majority of the persons is utilizing the subsidy amount for unproductive purposes such as marriage, etc. In order to stop this practice the scheme should be modified to make payment in kind.

- (vii) A neglected aspect of the scheme is that no follow up action is taken once the subsidy is paid. It is for this reason also that people tend to spend money for unproductive purposes. Besides this even if they start the venture they tend to close the same if they are unable to sustain them. Both these aspects can be taken care of if proper follow up measures are a part of the rehabilitation scheme for at least a period of one year after providing the subsidy. For this special provision needs to be made in the budget of the labour department.
- (viii) There is a serious need to give a second thought to the provision of giving a rehabilitation package to minor children. They are at times infants and by no stretch of imagination can be placed in the category of bonded labourers. They were in a brick kiln only because of the presence of their mother. No work was actually being taken for them.  
However, if the government policy can not be changed then the subsidy should be properly utilized to give them better education or vocational training depending on the age of the child. This will ensure that he will be having a better opportunity in the job market on attaining the age of 18. The 20,000 which he would otherwise receive may again be spent on unproductive expenditure, which will defeat the very purpose of the subsidy.
- (ix) The Vigilance Committees have been made in all the 3 districts surveyed by us. They are supposed to hold meetings once in every quarter. These meetings are hardly taken seriously because the government officials are already involved with various other activities and so they tend to neglect this aspect of their responsibility. However, if they can be asked to take care of the follow-up measures then they will be forced to take greater interest.
- (x) There is a case for increasing the subsidy amount because in the present situation Rs.20,000 is too small an amount with which any person cannot start an economically viable venture.
- (xi) With respect to our influential persons it was observed that although they have been associated with the problems of bonded labourers for a reasonable time period some of them are still unaware about the various provisions under the scheme of rehabilitation. There is, therefore, an urgent need to make them fully aware of all these provisions.
- (xii) There is a need also to create awareness among the people regarding the problem of bonded labour and the Act which was promulgated to abolish bonded labourers. This can be done through the efforts of the Vigilance Committee and through the print and electronic medias.



- (xiii) So far we have indicated the various aspects of the Rehabilitation Scheme, which need to be better implemented to make it more effective. There are some other aspects which can also be taken care of although they are not a part of the scheme as such but can prove useful in improving the overall conditions of the rehabilitated bonded labourers. Some of these aspects are being highlighted below.
- (a) A number of persons have been spending the subsidy provided to them on house construction. Since the Indira Awas Yojana is already in operation all over the State there could be provision for reserving a few houses for these rehabilitated bonded labourers.
  - (b) Some of our respondents were either too old or physically handicapped to do any work. The government can provide old age pension and pension for handicapped individuals under the already existing pension schemes.
  - (c) The programmes such as JRY are open to all persons. However, some rehabilitated bonded labourers have complained that they could not avail the scheme either because they were unaware of these schemes or the Pradhan did not select them for the same. The Vigilance Committee can not only make them aware of the various programmes being run by the government but can also be asked to intervene where the Pradhans are not being co-operative.
  - (d) Despite the fact that many fall in the category of people below poverty line, not all have BPL ration cards. Care needs to be taken that they are also covered so that they can avail the benefits available to the others in their category.
  - (e) The Central Government has been operating the PMRY scheme, which provides opportunity for self-employment to educated youth. The eligibility is that they should be below 35 years, have an annual income of below Rs.40000 and must have passed at least Class VIII. Loan upto Re.1 lakh is given to selected beneficiaries under PMRY. There could be a special provision for granting loan under PMRY to the rehabilitated bonded labourers provided they fulfill the different eligibility conditions.